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TOBY

A NOVEL OF KENTUCKY

CREDO HARRIS





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CREDO HARRIS
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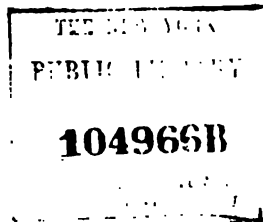


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SMALL, MAYNARD AND COMPANY

PUBLISHERS

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F

TO MY FATHER
THEODORE HARRIS

TOBY
A NOVEL OF KENTUCKY

TOBY

CHAPTER I

The citizens of Panther were charged with repressed excitement. Men opened their doors and looked curiously up and down the street, while housewives fluttered about their kitchens preparing early breakfasts.

Feuds they had seen and shooting affrays in plenty, but it was not approaching bloodshed that electrified them now. Something more than the crack of a rifle, the song of a bullet, or even the death groan of its victim, was quickening their pulses; for this day marked an epoch in the history of the little Kentucky town; on this day a white man was to be sold at public auction.

He was a taciturn, mysterious sort of fellow, apparently without an aim, who had appeared in their midst a year before driving a buckboard on which was perched a neatly strapped steamer trunk. From the very beginning there had seemed to be something different about him; something they could not quite understand. Whether it was the quick, amused

But one day it became noised about — and no one was ever quite able to say just how — that pennies which the children should have used for their Sunday offering found ingress to this man's coffers. Instantly he was treated as a menace; his little friends were forbidden to visit him, and when, shortly, the law laid a hand upon his shoulder, he realized that he had tasted the dregs of the town's tolerance.

On the last day of Court a jury had found him guilty of vagrancy and an austere judge, following a well-known though rarely employed statute in Kentucky law, had sentenced him to be sold to the highest bidder into one year of servitude. No word passed his lips throughout the brief trial, except when asked his name he answered simply "Toby," which caused a ripple of laughter.

He could have told them in all truth that none of the children's pennies had ever touched his hand, but the weather-vane of human sympathy pointed wrong and none would have believed him.

So at nine o'clock upon this particular morning, when the townfolk had been summoned by a clanging court-house bell to see the law obeyed, Toby, unkempt, ragged and a vagabond, stepped upon the block and gazed mildly

over a mass of upturned, grinning faces. The sheriff's rough jokes were answered by immoderate guffaws from his appreciative listeners.

Fifteen minutes passed and no bids were made. Somehow, these men, ready with their jests, shrank from offering money for a white man's body.

An old hound, worming its way between their legs, walked laboriously across the cleared space to the block and stretched up its nose to sniff the prisoner's calves, then looked into his face and wagged a skinny tail. Absently shifting his weight to one side, the man rubbed the toe of his boot up and down the dog's back, causing it to drop its head and begin a vigorous scratching. The diversion amused the crowd.

Huddled on the floor within the court-house door a half-grown girl wept piteously. It was Nellie Wallerby, whose father was a shiftless sort. She had never known a mother. Perhaps, because of this, Toby had treated her with marked gentleness, and all the love her lonely heart could feel went out to him. Now her face was white with rage.

"Now, gentlemen," urged the sheriff, "you all know the law. Toby, heah, is got to be sold, and most anything 'll buy him. He's

yourn then, and all you've got to do is to keep him in clothes, food and medicine for a yeah — and make him work. How much am I offered for this heah, gentlemen?"

"Must you keep him in whisky, too?" someone asked, provoking laughter.

"The law allows for medicine," the sheriff grinned, whereupon they laughed again. And when this subsided a loud voice called: "Boys, he says the law allows for medicine!" which was a signal for another outburst.

It began to look as though no one wanted Toby, who had stood the while gazing dreamily off beyond the trees toward the Knobs — foothills to the distant Cumberlands.

The sheriff sharpened his wit for a fresh appeal, lightly tapping the man's scarce hidden muscles with the handle of his gavel. The crowd drew in expectantly, when an indignant voice turned everyone around.

It was a girl's voice. She sat a dark bay hunter with easy grace, a composure quite out of harmony with the tense and troubled look in her face and eyes.

"This is simply outrageous!" she exclaimed again. The men dropped back and slowly, one by one, removed their hats, while the sheriff, feeling himself uncomfortably alone, spat in

the dust and looked sheepishly at his friends.

Finding herself the center of uninvited attention she hastened to say:

"I beg your pardon, but you weren't selling that old man?"

"Yes, Miss."

"Selling him!" Incredulously.

"Yes'm. This is Toby, and he's a vagabond. The Judge said so, didn't he, boys?"

All spat and said that that was right, the Judge had said so himself.


"Maybe you ain't from around heah," the sheriff suggested courteously, looking at her trim make-up, "so don't know it's the law in Kentucky?"

No, she knew nothing of the law, but her cheeks burned with shame for the men and with sympathy for the prisoner. If her uncle were there, he would save the poor wretch, she thought, and then the idea came to her.

"How much — that is, I mean to say, what will you take to let him off?"

"Well, it ain't for me to let him off, Miss, but you can buy him if you like. There ain't been nothin' bid, and if you say a dollar, I'll knock him down for that. The boys won't care."

The boys signified their willingness by nods and grins.



A dollar for a fellow being! Hurriedly she endeavored to recall how much her uncle had once said he used to pay for negro slaves, but it escaped her. Somehow it seemed to be six hundred dollars, yet that was ridiculous in view of this price suggested by the sheriff, and she concluded it must have been six dollars. But she was becoming very much confused, and the men were staring, though not unkindly, and altogether she felt painfully conspicuous. Only one thing stood distinct in the chaos of her mind: that a friendless creature was being hurt and humiliated.

"What — what must I do? You know that this is entirely unfair!"

"Jest bid a dollar, Miss. Will you bid a dollar?"

She was staring fixedly at the sheriff and he, interpreting the look to suit his idea of a fitting conclusion to the situation, brought the gavel down with a bang.

"He's yourn, Miss, for a dollar," he announced, drawing a deep breath of relief and wiping his forehead. She gave a slight start.

The crowd which felt the strain of this unusual turn of affairs wanted to laugh and did so. The sheriff walked up to her.

"Now, Miss," he said, "if you'll come to my

house and sign, you can take him right along."

"Oh, must I do anything more!" There was real distress in her voice.

"Well, now, I reckon it'll be all right if you don't want to. But I wish't I knew," he added uncertainly.

"It'll be all right, Bill, I reckon," someone said, "'n it don't make no difference, no way, much."

Relieved, the sheriff called to Toby:

"Heah, you! This lady's done bought you for a yeah. Come on, now!"

And then dawned the full significance of her act. She tried to support herself by the thought that these men were outraging the principles of her country, the teachings of her childhood. She told herself again that they had been about to practice slavery, the very thing her father had fought against; that had, in his youth, alienated him from home and friends. She knew his bitter experience well.

And from these thoughts she was plucking courage, until Toby left the block at the sheriff's summons. Then panic.

"But I do not want him —" she was beginning to protest, when he quietly approached her horse. As he raised his head she looked into a pair of steady gray eyes; kind eyes,

pathetically blended with dissipation and intelligence, and, more than ever to her horror, he was not old at all, perhaps but twenty-five.

Outwardly unconcerned, he had stood the humiliating ordeal before the men but now his face crimsoned with shame.

"This is very kind of you," he said when the sheriff had withdrawn a pace. "But I am afraid you have suffered some considerable annoyance by doing it."

She had expected that he would talk like these other men and was unprepared for a voice toned with an unmistakable ring of culture. Then, too, his eyes said things, just as the eyes of her collie would have said them, until all at once, seized with a desire to hide and cry, she wheeled and galloped furiously down the street and out upon the pike. Toby and the others stood watching.

The sheriff finally approached him.

"What did she tell you to do?" he asked.

"Never told me nothin'," he answered in the drawl they were accustomed to hearing him speak.

"Well, what air you goin' to do?"

"Jest reckon I'll go on down home."

"Have a drink fu'st?"

Several bottles were drawn. The incidents

of the morning, the genial introduction of liquor, had again changed the atmosphere; the weather-vane had swung back, and the men were warming toward the one who now stood in the village lime-light.

Toby smiled and held out his hand, hesitated, let it fall again.

"No, thanks," he said. "Reckon I won't take none," and shambled off.

"Well, dang me," the sheriff guffawed, "if this ain't a funny day! Fu'st time I ever seen him pass a drink!" And then created another laugh among his friends by calling after the retreating figure: "Hey, Toby, air yer sick?"

"Reckon I am; plumb sick," he answered back, without turning around.

By the time, however, that he reached his cabin he had become recklessly wild for whisky. The bottles extended in town re-awakened all the craving that a week in jail had slightly moderated. If no one had rummaged the place he knew there must be a quart or more in his demijohn, which he snatched from the cupboard and shook with feverish haste. Yes, there it was! The swish! swish! of the liquor as it lashed the glass sides thrilled him with life, and the low, resonant bung! that struck his ears when the fat cork came out was

have carried the low, rich tone, still vibrating in her ears.

And what was it in his eyes — this vagabond's eyes? Why had she fled when her brown looked into his gray? How dared he be so impertinent!

Surely, after all, her eyes and ears had played a prank, for this fellow could be nothing but a common sort, else why was he convicted? Yes, that was it; with her sympathies aroused she had been tricked. And yet —.

"I will never, never try to help anyone again," she burst out, pressing cold hands to her burning cheeks and trying to dismiss the entire subject. "Did I do so awfully wrong, Girlie?"

The mare thus appealed to tilted back a delicate ear in respectful attention and kept her opinion, whatever it was, discreetly to herself.

When Colonel Dare, seated in his accustomed place on the porch, saw his niece approaching, he arose and, resting a hand against one of the white columns, awaited her.

"My dear," he said, as she climbed the steps, "you look tired, the sun has been too much for you. You must be more careful to chew your food, and eat less meat these hot days. Run in and have Chloe make you something cool.

"Oh," she answered, forgetting to smile at her uncle's pet hobby, "I've done something simply dreadful. I just know that you and Emily will think I'm — I'm — oh! Has she gotten home?"

"Bless me, what is this? No, Em's down in the orchard with Bob. But tell me, little one, what did you do? Break a heart in town, eh? or ——"

"Please do not tease, Unks. Will you listen and not be cross?"

She led him to the chair, put her hands against his shoulders and pushed him into it, then curled herself up on his knee. Gently he drew her closer until her hair rested on his cheek.

"Now," he said soothingly, "it doesn't seem so terrible, does it?"

"No," she sighed. "But, Unks," straightening up, "listen!" And from blushes nearly to tears, she told the whole story. Only one thing did she omit: his courteous expression of thanks, but through no thought of evasion; rather did she almost believe herself deceived.

"And he did seem so poor and ragged and wretched!" she concluded.

The Colonel sat looking at her. Minute after minute passed until the girl exclaimed:



"Then I have done something dreadful, after all!"

"Ah, no, little one," and his voice was very tender, "I was looking at those wonderful brown eyes of yours and thinking of your dear grandmother. She would have acted just as you did." She kissed him.

"Are my eyes like grandma's? Your mother's?"

"Just like them. Yes," he added, after a pause, "she would have done just as you did. Your natures are very much alike."

"It is all right then," she murmured contentedly.

Both were silent; everything was silent, for the hush of summer noon lay over the land. Workmen had left the scorching rows of tobacco to loll by some cool spring for the hour of rest. No sweet toned bell floated up from the pasture where cattle stood knee deep in the limpid stream, placidly content that the water which idled past their legs was cool. Other creatures had sought the deep shadows of the woods, or lay upon fragrant green couches of bluegrass. Laden with the spoil of his morning toil, a bee, having lit upon the girl's discarded glove, lifted its wings once, twice, but lacked the energy to fly. Now a soft laugh

from the arbor caused Virginia to spring lightly up.

"Bob and Em!" she said. "You tell them, Unks, and please do not let them tease me!"

Within the hall she encountered Chloe coming slowly from the rear of the house. In reality this old negress had just left a position near the front door from which she had retreated in haste at the girl's approach; for Chloe had been eavesdropping, an acquired privilege and duty she rarely missed. With the simplicity of the ostrich she asked:

"An' has you done gone an' bought some pooh white trash, honey?"

"How did you know, Aunt Chloe?" the girl said with a twinkle of amusement.

"Never you min' how I know! Ole Chloe, she know ever'thin'. How much you give for 'im, honey?"

"A dollar." Meekly.

"A dollar! De Lord have mussy! Now you is got trash! Befoh Ole Miss made me a Chris'mus present of myse'f to myse'f, she uster say I'se wu'th a thousand dollars. After dat," here she gave a low chuckle as though the reminiscence were sweet, "after dat, she'd sometimes say I'd fell off consid'able in value; but she'd always be mad dem times, an' nuver

meant nothin' by it, honey. But jest a little dollar, an' for a white man, too——! Why, I nuver know'd one of 'em could grow to be so onery!"

Virginia kept her lips pressed tightly shut, and the negress asked again:

"What you gwine t' do wid 'im, honey?"

"Why, Aunt Chloe! I'm not going to do anything with him!"

"Den what you go an' buy 'im for?" — sharply.

"Because he — because those men — oh! Why do you talk to me like this!"

The old woman's manner changed the moment she heard tears in the girl's voice.

"Dar now, honey, dar now!" she crooned. "Come right 'long up stairs an' let me wash yoh face an' han's, an' take de musses out yoh haih."

"Do you think they will say awful things about me?" Virginia asked, soothed at once.

"Who gwine to talk 'bout you?"

"Why, all of those men in the village."

"Dem? What kin dey say? You ain't done nothin' moh'n yoh gran'mammy 'd done. Mars Roge' done said so hisself!"

"I know, but there is always someone to start gossip."

"Someone t' gossup!" she snorted indignantly, standing fierce and erect. "Yes, dar is, sho', but what kind a pusson gwine t' gossup 'bout you? I tell you what kind: de kind dat'll git dey're haid knocked off! Dar ain't nobody, honey, dat's quality what kin walk 'long dis heah world ve'y fur widout havin' some dawg run out an' take a snap at dey heels. Mostly it's a mangy, mongrel, little yaller pup dat fusses 'long inside de front yard fence an' tries to make de neighbors believe he's a-chasin' you down de road all by hisself; when, ef you turn 'round right sharp, he'll ki-yi an' hump hisself for home jest as hard as he kin git. In every little ole town, an' every big ole town, dar's a breed like dat a-layin' 'round all de time. I don't pay no 'tention to 'em, 'cept when dere squeaky yap hu'ts mah ears; den I jes' haul off an' kick 'em spang back in de kennel. Dat shut 'em up some! But come 'long wid Chloe now, honey, an' let her fix you."

As Bob and Emily came up the porch, the Colonel called heartily:

"Stay to luncheon, Bob."

"Can't, thanks, Colonel. I must get the men started in the lower field."

"I rode by there yesterday," said the older man. "Your tobacco plants look unusually well."

"Yes," he answered, "I expect a big crop. If it's even half as good as last year, I shall know the place is on a solid basis. Then I'm coming over and——"

He stole a look at Emily whose eyes frantically begged him to stop.

"—tell you," he finished lamely.

"By all means come over and tell us," said the Colonel dryly, letting his face betray no sign that he was quite familiar with the situation. "Now, however, I've something to tell you. No, Em, don't go in. This is for you both."

Colonel Dare told a good story and he made Virginia's experience inimitably funny, touching strongly upon the girl's generous motive and carefully avoiding anything that might arouse Emily's fear of village talk.

"The poor dear," she cried, when he had concluded and was wiping tears of laughter from his cheeks. "Is she up stairs, Daddy? Good-by, Bob," and moving toward the door she added, with a look that stretched a grin over the young man's countenance: "when you get the men started in the lower field, come over and tell us."

"There is one thing, Bob," the Colonel leaned forward with a serious expression now,

"that we must be careful to do. You know what Panther is, and how idly they talk over there."

"Yes, I know, but they wouldn't say anything about Virginia," he protested.

"Yet it is a rare occurrence for a white man to be sold into bondage — rare, at least, around heah. And I have never heard of one being bought by a woman. The occasion will warrant talk, Bob, and altogether I do not feel quite comfortable over it, because, however lamentable the fact may be, it is a fact, nevertheless, that, put a woman's name on every tongue even in the most laudable terms and she will someway suffer. Few of those people in Panther could understand her motive; no, nor grasp the least conception of it."

"I believe that is all so," Bob laughed, "but in your adorable 'befoh de wah' zeal to protect the girls from all sorts of imaginary evils, you take things too seriously. Virginia cannot be eliminated because she occupies the very center of the stage; neither can the villagers help talking about it; neither can they say anything unkind of what was done through pure kindness."

"Suppose, for instance," the Colonel suggested, as though he had not heard, "suppose

the impression went abroad that she acted as my agent in the matter. Suppose I should have needed the rascal for my place and could not go over myself to buy him!"

"It might help," Bob assented, seeing what the old gentleman wanted of him, "and will come better from someone beside yourself. I will ride in there this afternoon."

"Thank you. If you think of anything else, act upon it. I will stand responsible for the commission; and, by the way, Vee said he was ragged. Please see that he gets what is necessary befoh coming out heah. He will be an infernal nuisance, I suppose, but one I must put up with."

"Perhaps I can use him, or you might pay him to leave the country," Bob suggested.

"No, my obligation to keep him is binding. But we will see. Eh, where did you get that horse?" as a darky led up a big, nervous bay.


"That's the Hanover colt out of my Winsome mare. Like him?"

"A mighty fine animal." The Colonel arose beaming with pleasure, which he did upon everything belonging to Bob. "Have a toddy befoh you start?"

"It's too warm, thank you, Colonel," he answered, swinging into the saddle and galloping out through the trees.

The Colonel stood watching as he crossed the pasture; the big bay taking each fence as it came with the ease and grace of a grayhound. Then he turned and made his way into the cool dining-room. From a massive mahogany sideboard he took a glass, dropped into it half a lump of sugar which he barely covered with water and crushed gently with a spoon. Into this he put a piece of ice the size of a hen's egg and stirred a score of times. From a decanter he then poured a liberal drink of beady bourbon, and again stirred slowly.

"An 'old-fashioned toddy'," he mused, holding it toward the light and looking at it fondly, "when properly made, is never heating."



CHAPTER III

By early afternoon every seat before the store was filled with its accustomed occupant. All were anxious to discuss the eventful morning, yet none knew exactly where to begin. For the most part they whittled lazily on pieces of soft pine, more to mask a consuming curiosity than for the mere pleasure of whittling. It was the storekeeper who essayed the plunge.

"Who d'you reckon she is, Bill?" There was no mistaking the subject.

"Dunno. Ask Doc," replied the sheriff, his mouth too full of "twist" to talk volubly.

Doc ran the little drug store, dispensed medicines impartially to man and beast, and boasted of having doctored everything in the county. Being thus called upon he grasped his long, white beard, ducked, spat and cleared his throat.

"She's stoppin' over at Colonel Dare's, eight miles out the pike, an' her name is Miss Virginia Dare. Joe Bender, the overseer, told me yesterday when I went out to look over the Colonel's ridin' horse, that she's a niece from up Massachusetts way, somewhere."

"What's the matter with the Colonel's hoss?" someone asked.


"Now look-ee heah, do you all want to heah about the gal or the horse? Well, the gal," he continued, "is the granddaughter of old Major Dare who built that place. I don't reckon any of you all remember the old Major, 'cept maybe Horace here, but I tell you he was a white man through an' through."

Old Horace blinked his watery eyes, said that was so, and was about to tell of one time — but Doc gave him a bored look and resumed.

"He had two boys, Filson an' Rogers, who was, barrin' occasions, as white as their daddy, an' they'd a-lived right along under the same roof if it hadn't been for secession.

"The Major an' Rogers was keen for it, while Filson was just the opposite, an' it's said that some of their argyments used to make 'em all so mad that lots of times they'd go to their rooms without so much as sayin' good night. So after South Car'liny shot that shot, it was expected that somethin' in the Dare family was sure to bust, an' you can bet they didn't disappoint nobody.

"Filson left home without sayin' a word an' struck out for Rosseau's recruiting camp up above the Ohio, while Roge' was as prompt to



jine Buckner's brigade just beyond the Tennessee line. Both was mighty young for the service, but young or old didn't make no difference, an' the Major would have gone himself if he hadn't been crippled at Palo Alto.

"Well, he was so worked up when they told him what Filson had done that he put a nigger on a horse an' sent him clear to the Yankee camp with a letter disinheritin' the boy, an' tellin' him he hoped his brother would never be humiliated by seein' his traitor face in the Yankee ranks. To which he replied that he had left the Major's roof for the moh honorable protection of the American flag; that he, too, hoped he would never see Rogers' face, but if he did, it would be over the sights of his rifle, an' he swore, by God, that, much as it would pain him, he wouldn't move the muzzle a hair's breadth. I dunno whether they saw each other durin' any of the fights or not.

"That's the way it was around heah those days. That's why Kentucky tasted the bitterest there was in the war, because her fathers an' brothers an' sons was all a-fightin' against one another. Why, gentlemen, at Shiloh I saw — but that ain't here nor there.

"After Mr. Lee had to give up, Rogers came back a Colonel. He pitched right in to help

his daddy build up the old place but it was long, hard work, an' the Major died just befoh it was finished.

"Then Rogers went to Lexington an' married Miss Emily Rawlins, an' the Miss Emily you all see ridin' 'round heah is the picture of what her mother was.

"For a long time nothin' was heard of Filson. Some said he was dead; others, that Roge' had shot him in battle, but one day the Colonel got a newspaper sayin' that Judge Filson Dare, of Boston, was married. My! but he was pleased that day. He rode in town to show it to us boys an' then sat right down an' wrote a long letter, askin' him to bring his wife down to live, or for a visit, anyway; but his answer was so formal that for a long time no further attempt was made to patch things up.

"Then came news that his wife had died, leavin' him a little gal. At this the Colonel left Miss Emily an' their own baby an' went all the way North. When he came back he never said much to anyone, but he looked old an' worn, an' after that he didn't try to mend things no moh.

"But, while the Judge had some pretty hard stuff in him, he must have felt sorry, because

when he died two years ago it was found that the Colonel had been named executor an' guardian for the gal, Miss Virginia — though I reckon she's mighty nigh of age, bein' about a year younger'n Miss Emily, who's along twenty or so, or thereabouts.

"Miss Virginia stayed up North to finish her schoolin' till recently. Joe Bender says when she came down to Glenwood to live, 'bout a month ago, she felt kinder strange towards 'em all, but now she's huggin' the Colonel all the time, while she an' Miss Emily is like two eggs in a nest. So that's who she is, gentlemen!"

Doc's recital was received with rapt attention and a long pause followed.

"But what d'you reckon she wanted to buy him for?"

This was the mystery they could not get at. During the dinner hour some had sought a solution from their wives, but for once — and let it be said for only once — that effulgent source could cast no ray.

"She said it was an outrage, warn't that it?"

There was still no reply, and all recommenced their whittling.

"She said she didn't want him, too. Now, what d'you reckon she meant by that?" More silence.

"Ef she didn't want 'im, what d'you reckon she went an' bought 'im for? Tell me that?"

"I drove a Yankee drummer all the way to Lexington onct," hazarded the liveryman, seeing that no one else was going to speak, "an' he said some of them towns up north is mighty different from ourn. Maybe the people is different too."

He was making an impression and went on:

"He said some houses thar was thirty stories high."

"Well, I hope you didn't believe no such stuff as that!" the sheriff exclaimed in disgust. "Why that would be," he made a finger calculation, "that would be fifteen times as high as the highest store heah!"

"That's jest what he said," the liveryman replied.

"Then he lied," the sheriff asserted. "What would a man want with such a thing? Durned ef he wouldn't get clean tuckered befoh he clim it onct!"

"An' he said ——," but what the drummer had said was lost in the appearance of a horseman who turned into the street and cantered leisurely toward them.

"Bob Clark, ain't it?" someone asked.

"Reckon 't is," the storekeeper answered.

"They do say he's a-settin' up to Miss Emily."

"Is a-settin' up!" Doc exclaimed. "He's been a-settin' up for most a yeah!"

"Wonder why she don't take 'im then?"

"Mought ask Ralph," wheezed old Horace.

"For an old man, Horace," Doc turned on him with withering scorn, "for an old man, I say, you embody moh fool notions than yoh yeahs call for. You know she won't no moh'n look at Ralph Patterson!"

"Mought do wuss." Ralph's father had got Horace his pension.

The rider dismounted and pitched the reins to a negro.

"Good evening, gentlemen!"

"Good evenin', Mister Clark. Heard you was down to Louisville."

"Thought I would see my tobacco along first while the good weather lasts. Have you all seen anything of Dink?"

"Dink Wallerby? He was huntin' last night. Want 'im?"

"It doesn't matter much," Bob answered. "Said he'd come to my place today and help out. Hands are mighty scarce."

He sat down and lit his pipe. Bob Clark was a good mixer among men. He could work in his acres or lead a cotillion; could en-

tertain state dignitaries with the same ease that he now showed among the villagers, and they all liked him. Not long before, he had come into this country from farther up in the bluegrass region, had taken and was reclaiming the run down farm that adjoined the Dare place.

"You mought hire Toby from Miss Virginia. She bought 'im this mornin'."

Old Horace sprung this. He was the only one who would have dared, and some of the others shifted their positions in embarrassment, but the young man seemed to take it as a matter of course.

"No," he replied, "they need him at Glenwood. Perhaps I might have bought him if the Colonel had not." And he was amply satisfied when a general buzz went around, in effect that: "The Colonel wanted him!" "Couldn't come over hisself and sent Miss Virginia!" "Well, now, we mought have thought of somethin' like that!"

"Haven't seen him about, have you?" Bob asked.

"He's down to his cabin, most likely. Said 'foh dinner he was a-goin' thar."

"Which way? I want to send him out." The young man knocked the ashes from his pipe and arose.

A moment later a group of half a dozen volunteer guides was moving diagonally across the square toward the poorest edge of town. Their voices lowered as they approached, and finally ceased altogether when they halted before the gate, for the men had shunned this place since Toby took possession and its air of solitude now impressed them.

An afternoon sun struck the ground without mercy. From the twisted and broken fence, across a little space of yard and up to the worm eaten logs of the building, grew a profusion of jimson weed, gorgeously in bloom but fouling the air with its sickening odor, and the hum of June bugs reached their ears in drowsy monotone.

Pushing open the crippled gate, they walked carefully to within a few feet of the door, and stopped again.

"Mabbe he's run off," suggested one.

"Or drunk," said another.

There was a movement within as Toby sprang from his pallet and hurried across the floor.

"He ain't run off, nor drunk, neither! What do you all want?"

He stood before them with flashing eyes and the men seeing him thus transfigured dropped

back a pace. It was Bob who squeezed through their shoulders and approached.

"My name is Clark," he said, "and I came over from Colonel Dare's place."

It had been his intention merely to give Toby the Colonel's instructions and depart, but there was a something that caused him to change his mind, so, turning pleasantly to his escort, he said:

"Thank you, gentlemen. If you will excuse us now I'll transact the Colonel's business."

Toby had often seen Bob Clark and admired the way he sat a horse. He knew him to be a trusted friend of the Dares; also, from a better source than hearsay, that he was "settin' up" to Emily, and secretly he wished him luck. Once, not long before, while on one of his night rambles, he had gone through Glenwood and approached the house quite near, listening to low, musical words that floated out from the shadows of the wide porch; standing back in the darkness and alone, not to hear what was being said, but merely because the sound of refined voices was good to his ears; leading him back, as it did, through the vista of memory to — but to whatever it led him, he turned slowly home and drank himself into a dreamless sleep. Since then he had avoided the Dare

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place, but his nocturnal walks, always prompted without warning by a sudden desire to forget the debauch-stained cabin for the purity of the woods — for an atmosphere of wholesome thought — were no less frequent. Whenever this impulse, arising from the struggle between his better nature and a drink-enlaved body, swept over him, he would burst from the door and be gone for hours; yet, on returning, his first act had invariably been to open the cupboard and lift the demijohn in silent ecstasy to his lips.

“What does she want me t’ do?” he asked at last, after the men had turned disappointedly away.

“This is what I came over to see you about. Miss Virginia, you must understand, was only acting for her uncle, Colonel Dare, in this matter, and — er —”

As a liar Bob was a failure and, moreover, Toby’s eyes were coolly looking him through in the most exasperating way.

“I understand, I reckon,” the vagabond replied, a smile of approval slowly spreading over his face. “It does sound a whole lot better that a-way, don’t it?”

Which surprised the other into asking:

“What do you understand?”

"Nothin', I reckon," he answered evasively. "Want me over thar to-day?"

"Tomorrow will do. The Colonel gave an order for the store to supply you with what you need, er — clothes and razors and things."

"Oh, I reckon I can git along," he said. "Thar's a trunk in heah I ain't opened since — since I packed it."

Noting his embarrassment, Bob urged:

"But it is his place to furnish you the things, and, besides, he wants to."

Toby looked down at himself.

"I reckon they won't do no hahm," he laughed outright now in such a magnetic way that Bob found himself also laughing.

"Better get everything to-day, then, because the wagon will be in some time tomorrow and you can ride out. Good-by."

At the store Toby, irritable and craving a drink, took but a short time to select his simple outfit. For the most part this emporium supplied only one line of clothing: cotton pants and shirts, with their accessories equally crude, that were the accepted garb of the community at large.

With his purchases gathered in one large bundle he was turning toward the street when a voice outside spoke Virginia's name. Some-

thing in its ring prompted him to stop just within the door, and then another voice said warningly:

"I wouldn't talk that a-way if I was you, Ralph. You've been drinkin' some."

"Don't care if I have," came a sneering retort. "It looks mighty funny, I say, when a Yankee comes down heah and has to buy a man, even if he is —"

The next instant he was lying flat in the street with Toby, the bundle still under his arm, looking down at him.

"Damn you! I'll kill you!" Patterson screamed, springing up and reaching to his hip pocket, but Toby's left arm shot out again. There was a dull crash of flesh against flesh, then Patterson reeled half around and fell, face down, across an empty dry-goods box.

Hurried hands carried him into the store where a liberal amount of that panacea for all Kentucky ills was poured down his throat.

Toby stood waiting until he heard Doc say that no particular damage had been done, then started on, but he had gone only a few steps when the sheriff's restraining hand fell upon his shoulder.

"Goin' to lock him up, Bill?" someone asked.

"Lock hell!" the sheriff growled back, and

to the vagabond: "Toby, you're all right. I'm sorry for what I had to do this mornin'. Will you shake?"

"You jest bet I will," he turned quickly about, his face lighting into one of those engaging smiles which made all who looked on feel pleased with a nameless pleasure.

That night he regretted having bought the things Bob urged him to get. Not because their purchase had taken him to the store where he had made an enemy, but because of a new idea that in an instant decided him to take his trunk to Glenwood instead of leaving it locked within the cabin, as had been previously considered.



CHAPTER IV

The wagon creaked along the hot, monotonous pike. Jeff, the driver, had begun the journey with voluble observations and questions that at first suggested familiarity, until, met with indifferent silence, he caught the keynote of deference and recognized it as the only one his passenger would tolerate. This materially raised Toby in the old darky's estimation, for though he had been taught that a white man is a white man, prince or pauper, freedman or slave, the circumstances surrounding this one were cheapening. Turning in mild apology he said at last:

"I'se powerful sorry, sah, dat I can't make dese heah mules go no faster, but ef I does dey's apt to bust mah 'ventions."

It smacked of an approaching physical calamity.

"Your what?" Toby asked.

"Mah 'ventions, what I done made on de harnesses."

"Oh, your inventions."

"Yas, sah, dat's hit. I done tol' Chloe dat me an' her'll be rich some day, jest like somebody

what is somebody, but she don't take no stock in 'em, an' mos' pesters de life outen me."

"What have you invented?"


"Who? Me? Jest moh'n I kin count," he chuckled. "Dar's de mouse trop, an de chink-erpin chahm, an' de —"

"What's a chincapin charm?"

"Dat? Why, dat 'll keep off de evil."

"Oh. Does your mouse trap catch mice?"

"It? Well, sah, 'tain't kotched none, 'zactly," he said, giving the mules a gentle touch with his whip. "Er mouse," he continued in a ruminating way, after a pause, "is de dad-fetchenest scallowag dat lives; in fac', dar ain't no word to 'zactly 'scribe a mouse, 'cause he's heah, dar' an' eve'ywhar all at onct, studyin' out how he's gwine ter fool somebody. I done sot mah trop in de stable right whar I seen one go up an' down de feed box ever' day; an' do he go in dat trop? No, sah, he don't! He sot back on his hunkies, an' wiggle his nose, an' de fust thing I know he done sidle off wid all de bait, right under mah ve'y eyes, an' drug it down in de hole; whar mos' likely he laffed wid de ole Miss an' little uns 'bout how smart he is. Don' talk ter me 'bout no mouse! He's got de cunnin' of a 'possum, 'caze he look lak a 'possum; an' he's got de



quickness of a squir'l, 'caze he look lak a squir'l ; an' he's got de 'telligence of a man, 'caze he look —" The old darky stopped short, finding himself wandering into a bad tangle, but added with emphasis: "'caze he look lak he want to be a man!"

"They are too smart to go in your trap, eh?" The vagabond laughed softly.

"But hit's de only way dey's too smart," Jeff chuckled again, "'caze I done kotched some wid mah han's an' put 'em in, an' dere ain't nurr a one got out yit! Dat show up right good for de trop, don' you reckon, sah?"

Laughing again, Toby stretched out on the straw in the wagon bed and feigned sleep, for since leaving town — or, rather, since the night before — he had resolved some pertinent matters in his mind. Reviewing now the sum total he found: that he had never worked with his hands; that the summer was very warm; that his position at Glenwood would be physically uncomfortable and mentally unbearable; that he would do a little work to repay Colonel Dare, and then run away; but that, in the meanwhile, he would act his real self, the self that was in the blood, and not the illiterate loafer the villagers had known.

This last — this cloaking himself in a veil

of genteel mystery — appealed to his sense of romance. The Dares would come to look at him wonderingly and speak his name in whispers, and when he had finally gone they would be at a loss to know who he could have been. For years after, the tale would be told about the family hearth-stone, more embellished with the advent of each generation, until it would wear the palm of eulogy and out-mystify the Arabian Nights. Perhaps in years to come Virginia, crowned by the saintly age of grandmotherhood, would tell it on winter evenings to the little ones, and who could say if the glow on her wrinkled cheeks would be entirely from the blazing logs? It worked out very prettily as he lay there with closed eyes.

"Heah we is, sah," Jeff called, the painful noises stopping with the wagon. And another voice that Toby recognized as the overseer's asked:


"Where's that Toby?"

"He's layin' in heah 'sleep."

"Then he'd better git awake purty durn quick if he don't want me to raise his hide!"

It seemed that Joe Bender was in no cheerful mood, and that he also shared the Colonel's opinion of Toby's worth.

"You heah me?" he called again.



The voice was loud and harsh, but Toby remained comfortably upon his back, with hands behind his head. His eyes were open, but his jaws shut in a way that might have said something.

Snatching the whip from the darky's hand the big man sprang upon the wheel and raised the rawhide high above his head. It would have been a wicked blow, with only a cotton shirt to temper the sting, and had the younger man flinched ever so slightly the lash would have descended to the flesh; but, as it was, he kept his eyes on Bender's face until the whip had been withdrawn, then climbed leisurely to the ground.

"Well," he said, looking at the overseer with an exasperating trace of unconcern.

"Well, hell!" the big fellow thundered. "An' it wouldn't a-been well, or nuthin' like well, ef I'd brung this heah rawhide 'crost yoh belly! Come on, now, an' git t' work!"

A slow, angry color crept into the other man's cheeks, but about his mouth and eyes crept a suggestion of a smile.

"I don't reckon I feel like workin' this mornin'," he drawled. "I'm kinder tired."

Bender's face turned livid. Never had this lord over the negroes been so spoken to by


anyone under him, and his knowledge of Toby's position made the anger more difficult to control. Indeed he did not control it, but dropped the whip and jerked up a club laying handily by. Even had the well-knit figure, the pliable muscles that worked machine-like under the thin shirt, not pointed cautionward, there was something about this newcomer's poise which made the change of weapons welcome, and thus better armed, the overseer advanced without delay.

"I'll teach you who's boss around heah, you —" he began, when Toby's manner suddenly changed.

"Stop!" he said.

The command came with crackling force as though a dry branch had been roughly snapped, and Bender hesitated through sheer surprise. It seemed to him that he was facing a different person — a man taller than the vagabond, a man tense and progressive, who was thrusting out the face and chin of a fighter.

"Now listen, for we may as well understand each other," the voice continued, without a semblance of drawl, which had the final effect of holding Bender riveted to his tracks. "I am going to be on this place for some time, and



you are the overseer. We can get along or not, just as you please. If we don't, one of us must leave — and I can't go. But if we do, it will be because at all times you treat me with respect; then I, on my part, will do what I can for you. Remember this, however: that if you raise a whip or club at me again —," his voice lowered and trembled, "I'll kill you."

The overseer's mouth was open and he seemed on the verge of apoplexy.

"Do you mean," he spluttered, "that I'm to treat you as my *ekal*?"

"Not at all. You will treat me as a gentleman."

Bender fairly danced with rage. Once he partially raised the club and seemed on the verge of rushing, but lowered it and continued to stamp from one foot to the other, opening and closing his free hand, and breathing with deep gasps. Toby leaned against the wagon wheel and watched him, when suddenly he stood rigid and his fingers flew to his collar that he tried to tear open. Just as he was tottering the young man sprang forward and threw an arm about his waist, but the spasm had passed and the swollen veins in his forehead grew normal.

"You want to look out, Joe, or that will get

you some day," he said with gentle concern, helping him to the nearest shade and hurrying toward the stable well for a gourd of water.

There was a peculiar pucker about the overseer's eyes as he now lay back and watched this newcomer; a mixture of perplexity, and diminishing prejudice, and dawning friendship. He protested feebly when Toby held the gourd to his lips and splashed some of the water over his head and temples, but it was with a feeling of comfort that he suffered the young man to raise his hand and carefully count the pulse. The attention was delicate and assuring, and Bender was amenable to exactly this wave of psychology.

"You're all right again, old fellow," Toby smiled, "but it might be wise to keep out of the sun for awhile. Suppose you tell me where I'm to bunk, and then go home and lie down for an hour. I won't cut up while you're away," he added, with a good natured laugh.

The seizure, followed by later surprises, had absorbed Bender's anger, and the terrified darky could scarcely believe his eyes and ears when the big fellow finally arose, saying:

"Reckon I'll — give — you the cabin I used t' have. It's clean an' cool down — thar."

It sat well back in a grove of maples.

detached from other buildings, and was indeed cool and clean. Climbing carelessly over its walls was a rambling trumpet vine, that also reached along the low fence enclosing a yard of good grass. It was not at all like the disheveled hut Toby had left, and his heart warmed to it.

"Joe," he said, when they stepped within and were looking it over, "I'm sorry we started badly, but perhaps it will make a better ending. Let's forget what we both said, and begin all over again."

Bender's hand went out on the instant, for after all the overseer was a good sort with more bark than bite.

"Mister Toby," he answered, candidly, "it was my fault for raisin' that whip. Fact is, I didn't know jest who was a-comin', an' don't know yet, but I'm glad you don't think no moh about it. I'll send yoh stuff down an' set a nigger to fixin' things, so by the time we get some beddin' from the house I reckon sundown'll find you comf'table."

Jeff had meanwhile encountered Chloe to whom he recited the affair by the stables with characteristic exaggeration. She, in turn, waddled to the front porch as fast as age and weight would permit, and without apology burst upon the Colonel who sat reading.

She was out of breath. The yellow and red bandanna that bound her head was awry, permitting a bunch of white wool to protrude over one temple, and this gave her face the appearance of being blacker and shinier than usual.

"I jest knowed dar warn't no good comin' of it, Marse Roge'!" she panted. "He mought a woh dat whip out on 'im, an' got th'owed down an' stomped twill he bleed t' death!"

"What are you talking about?" demanded the Colonel.

Virginia, in her room, heard the woman's excited voice and went to the window.

"Why, dat one dollar white man what Missy Vee done bought! He come out heah wid Jeff, an' Jeff say Joe Bender was a-gwine to whup 'im, an' he say he laff an' tell Joe Bender how onery he is, an' make 'im so mad dat he jest hop 'round like a rabbit on a hot rock. But he don't dare tech 'im even ef he do have a club, an' dis heah new white man haul off an' tell 'im he gwine t' kill 'im like a pizen snake. Dem's de ver' words. An' dey run down to de cabin in de maples, an' go inside, an' he th'ow 'im down an' is jest beatin' de life outen 'im dis heah blessed minit!"

The Colonel caught sense in the last if not all of this peroration, and hurried back toward

the cabin in a severe frame of mind. Chloe, exhausted, sat upon the top step and rocked quietly to and fro, while Virginia called Emily and they both ran down for further particulars.

"Dey's eatin' one anurr up like two frawgs," she moaned afresh, "an' in a minit dar won't be haih nor hide lef' to nary one!"

"Oh," they gasped. Then Virginia: "Was Joe beating him, Aunt Chloe?"

"No 'deed, honey," she whispered. "He got Joe Bender in de cabin and jest chawed 'im all t' pieces till it's disgustin' t' talk 'bout. Now dey's gwine t' hang 'im an' send 'im t' jail for life."

"Won't you please go, Aunt Chloe, and see what is happening?" they entreated.

"An' git de blood all over me?" She was indignant. "No, deedy! Ole Chloe gwine t' set right on this heah step!"

Terrified, the girls coaxed the old negress to tell them more. She required no coaxing for this was her forte, so beginning with the arrival of the wagon she was rushing into a tale of woe and slaughter when Jeff came up, hat in hand.

"Miss Emily," he said, scraping his feet, "Joe Bender wants de things for Mister Toby's baid."

"Why, Jefferson, weren't they fighting?" she screamed in a half hysterical way.

"No'm, dere warn't no fightin'," he grinned, and Chloe forestalled the reproachful look that might have been hers by saying:

"Don't you all pester de ole nigger now, chillun, 'cause she gotter git de sheets an' fixin's," and turning her broad back she marched sedately into the house.

When Colonel Dare approached the cabin and the noise of scuffling reached his ears, he entered with grave anxiety. As he did so, a young man of uncommonly good physique and clear gray eyes paused before the high-back desk that he had been drawing across the room and straightened up. The Colonel took a quick glance about.

"Where is Bender?" he asked.

"At his house, I believe, sir."

"Then where is this Toby?"

"I am he."

Circumstances were rare when the old warrior was taken by surprise.

"You are not the man my niece — that is to say, who met with the misfortune yesterday?"

"Yes, sir. But beginning to feel," he answered with a frank smile, "that there could be worse misfortunes." The Colonel bowed slightly.

"But, — you must excuse me — you — er — seem to be a gentleman."

It was Toby's turn to incline his head.

"Shall I call Bender?" he asked.

"Thank you, no. I received word that there was an unpleasantness between you. I was misinformed?"

"It was nothing, sir. We are good friends now."

The Colonel was scrutinizing him intently.

"From what part of the state do you come? Or are you a Kentuckian at all?"

"Colonel Dare," he answered soberly, "my pedigree was not required at the sale and I do not think it can make any difference now. I mean no disrespect to you whatever."

Again the elder man studied him before asking:

"And your name?"

"I have had no occasion for one since," — he hesitated, "since I came to Panther. If I must have one now, it will be of necessity fictitious. The children in town called me Toby, and," smiling now with an effort of pretending carelessness, "and I just let it go at that."

The Colonel fingered his imperial, and after another prolonged moment, he said:

"You are a much younger man than I expected to see, and perhaps you will take a word of advice from one of my age. I have never sympathized with mysteries, nor do I consider it good taste ever to affect them, neither do they become any man who is honest and fearless. I would rather know who you are."


"You have paid me the compliment," Toby replied, with a troubled look in his eyes, "to suggest that I seemed to be a gentleman. On the strength of that, sir, let me say that I feel sure you would fully approve my reasons for remaining unknown."

"Then tell me, and this I have a right to ask, you have committed no crime?"

"I have committed no crime," Toby answered slowly, "at least, none that is amenable to the law."


"I believe you," said the Colonel more kindly. "If you need anything for your comfort, make it known." He walked half way to the gate and turned. "And if you care to talk to me some time," he called back, "perhaps I can help you. I will if I can."

Toby watched him until he turned the corner of the house. It was good to have a man talk as this man talked. It put new stuff in him, rekindled old ambitions, resurrected the real self.



Virginia's ready sympathy, the sheriff's gruff approval and the Colonel's interest were the only sincere acts of kindness he had received from fellow man in more than a year, and these had all come since the sun rose upon him the day before in jail. Each had, unknown to him, marked an epoch in his renunciation of the old way; each was a prop that helped hold up his head, and he swore softly that they should never be knocked from under by any act of his own. And yet, even as he took this silent oath, the old longing arose to enter a protest: that nameless, terrifying, alluring desire for whisky, and he wondered in a dazed sort of way if he honestly wanted to smother it.

Colonel Dare, in a deep study, walked past the house and out upon the lawn. He was casting about in the nooks and crannies of his mind for a likeness to fit that of the boy — for he considered him a boy. Somewhere, a long time ago, he had talked and laughed with just such a face. "Yes, it was a great many years ago," he mumbled, but just when, and how, and who? A moment and he almost had it, but it slipped away. And again he tried, going back and bringing his mind through the same channels up to the nearly successful spot.



Yet it continued to elude him, and as the girls approached he abandoned the effort and turned to wait for them.

"I have just been talking to somebody's protegee," he said with a smile.

"And you are also breaking a promise to somebody about teasing," Virginia coaxed prettily.

"What is he like, Daddy?" Emily urged.

"Well," the Colonel replied, after a moment of hesitation, "I was very much surprised — agreeably so, entirely. How he happened to get into this fix, I do not know, but I believe he is a gentleman."

"A gentleman!" Emily exclaimed incredulously.

"A gentleman!" whispered Virginia under her breath, with widening eyes.

"A gentleman," the Colonel declared, "or I am mistaken. But, of course, that cannot alter my attitude."

"What is he like?" Emily asked again. "Vee said she could not remember."

"I hardly know how to tell you, either. But if I had such teeth I would part with a hundred of my best acres. Altogether, I should call him a splendid looking fellow; one who is careful to chew his food."

The girls laughed. This was a part of the Colonel's hobby on hygiene that he preached upon every occasion until it had become a family pleasantry.

"Is he to be just an ordinary hand?" Emily asked, and Virginia could have hugged her for it.

"Well, no. And, by the way, I must speak about that at once. I think he may take charge of the colts if he knows how to handle them, because Bender is now quite busy with the crops. Will you ladies honor me as far as the stables?"

CHAPTER V

The next morning Colonel Dare and Emily visited the horses. Entering the stables they saw in the dim light someone making new dispositions of blankets and rubbing cloths, and altogether putting little professional touches to the stall rooms that showed him to be familiar with the game of thoroughbreds. His back was turned, but he wore riding breeches of an English cut, and, seeing this, Emily called without hesitation:

“Bob!”

He turned at once, and the Colonel gave a low chuckle under his breath.

“Upon my word, suh,” he said, “we thought you were Bob!”

This incident, small though it was, impressed the girl much more than it did her father, because she had expected to see a man in tatters; and, instead of this, there had stood before her — at least to all appearances — a gentleman.

Nor did her quick eyes miss a single detail: from the grave face, the close cropped hair, covering a well shaped head, the negligeé shirt,

open at the throat and showing a neck as strong and smooth as that of a young god, the riding breeches, the tan puttees, down to shoes of the same shade. In telling of it afterward, she confessed that her first impulse had been to wait for an introduction.

Before a week passed Toby had dropped into his new-made notch and the cogs of Glenwood were running without a jar. Bender's time was being spent in the rich lowlands, leaving his previous duties in the vagabond's charge; an arrangement not only acceptable to them both but welcome in so far as the colts were concerned, because these creatures, sensitive as young thoroughbreds are to the personality of their trainer, felt at once the kinder mastery of the new man's hand, and responded to it as the only way of showing their appreciation. Some of these were jumpers, some were runners, some were trotters; some were pensioned and loved for past performances, and some were untried, but promisers of great things. They all made up the Colonel's one expensive luxury.


Yet it was not smooth sailing for Toby. There were hours in the day when he sank into a miserable gloom through the insidious gnawing of that desire for drink; hours in the

day, and hours in the night, with no one to help him fight a battle that, up to this time, had invariably gone against him. Upon these occasions he would shut his teeth hard and go determinedly on, but sometimes, through the sheer rebellion of his body, he would be driven into the hay loft to suffer it out alone; and then in his despair he knew that were whisky at that time present, further resistance would be useless.

On such days as these he made it a point to shun Bender, because Joe had once said that a fat demijohn stood in his closet, and that he could have it, willingly, for the asking. And he was afraid that he would ask.

Nor did these periods occur at greater intervals, but seemed to come with the same dogged regularity, until he was almost ready to accept the fact that with him the necessity to drink had become an incurable disease.

Ralph Patterson made a shrewd analysis of this phase of the crisis through which Toby was passing. Glenwood had seen little of Ralph since Bob Clark moved into the neighborhood, but after Virginia came his visits were being renewed with more and more frequency, until it was now usual for him to go there once or twice a week; and his attach-



ment for the Colonel's niece had become a mild — although a half-hearted — pleasantry in the household. Only in Chloe did it light the fires of indignation, but this, also, added to the general humor.

Shortly after the sale he had met Colonel Dare in town and ridden out with him — an occasion he was always careful to have observed by the citizens of Panther — but neither the ride nor the subsequent call left a happy memory. He had been surprised by the old gentleman's good opinion of the vagabond, and this did not accord with his idea of the fitness of things. Being inordinately selfish by nature, and abnormally sensitive to the effort he must constantly maintain to give his own personality some show of interest to the Dare family, he inherently resented the appearance of anyone or anything that created so much as an ephemeral diversion. For this reason Bob Clark, and even Virginia's collie, were alike despised by him.

But when that day he had seen Virginia, and heard her express an ingenuous concern for the unfortunate man — when, indeed, her sympathy found utterance in a look he realized that he himself could not have inspired under any circumstances — Toby became an active

menace that stirred his rage to more silent fury than the memory of the blow.

But he was not the kind to retaliate with a blow. His methods of revenge traveled safer paths, and before long one of these was put in motion when, apparently by chance, he met Dink Wallerby crossing the court-house square.

"Dink," he said, "I'm troubled."

"Hain't jined the church, have yer?" the mountaineer dryly inquired.


"No," Ralph laughed, with affected cordiality, "but I feel all cut up about that poor devil out at the Dare place. He's too white to be treated like a nigger."

"That's jest what he is," Dink exclaimed with feeling. "That thar feller's got sense, an' he hain't the kind t' hurt nobody. 'Tain't right, Ralph. How do me an' you know that some day a fool jedge won't sell we-uns fer no wuss nor what he done?"

"You are quite right," Patterson covered a smile. "I want to do something for him and thought maybe you, Dink, would help me."

Taking his answer from the mountaineer's attitude of attention, he continued:

"Of course, he's lonely, but the thing that hurts me — and I know you feel the same way



— is his being a sort of slave.” And he added with a nice show of indignation: “What you say is just right! How do we know they won’t sell us some day — and we no more citizens of the United States than he is!”

Nothing could have fired the mountaineer so effectively as this reference to his curtailed lawful rights. Generations of his people had been fed with distorted ideas of the freedom of citizenship, and taught a delusive mode of reasoning the liberties it entailed, until now in the mountains reigned an unwritten law unto itself, with hatred for Government foremost in its code.

“Of course, he doesn’t like me,” Ralph continued suavely, “but I don’t lay that up against him, poor fellow. Suppose you take a stroll out there tomorrow, Dink, and slip him this bottle of something choice for a consolation; then you might let him have this five dollars for railroad fare. He’ll appreciate it from you.”

He held out the money and a bottle, but as Dink saw the flask contained no more than half a pint his face relaxed into a grin.

“Yer hain’t calcerlatin’ to drown ’im in lickin’, I see,” he remarked. “This heah wouldn’t make no moh’n a couple of good swallers fer a grown up man.”

This was exactly what Patterson had planned. He guessed pretty well from his own experiences that a small amount of whisky would inflame Toby's appetite to such a degree that, with five dollars in his pocket, he would disappear over night. And such an event would be cheap at the price. Moreover, he thought with satisfaction of a prophecy he had recently made over Virginia's protest that her charge would be sure to run away before long, and, if for no other reason, it was worth five dollars to have her appreciate his depth of human understanding.


Dink shoved the bottle in his pocket, then licked his thumb and slowly counted the bills.

"So yer want 'im to have all this heah, an' not say whar it come from?" he asked.

"He mightn't take it from me, so just pretend you are lending it to him. And, see here!" he demanded, his suspicious nature lighting up with a new thought, "be sure that you give it to him; every bit of it, understand?"

A dark flush spread over the mountaineer's cheeks.

"I mought a-been thinkin' of that," he confessed in a low voice. "Fact is, Ralph, I'm so durned poor that I jest can't be honest all the time. But yer needn't worry none 'bout this heah money. He'll git it — an' the licker too."



Early the next afternoon, reaching the confines of Glenwood, he stopped and took a keen survey of his whereabouts. Like much-hunted animals that cannot rest upon their own trail until precautions have been taken to confuse any foe which might be drawing up to them, this mountaineer indulged no more than the inherent instinct of his class by avoiding scrutiny, so he made a long detour beyond the house and approached the stables from the rear.

Toby was seated on an upturned bucket, with his elbows on his knees and his face buried in his hands, when Dink slipped cautiously through the door.

"Howdy," he said.

"Howdy, Dink," the vagabond replied, raising his head with an air of weariness.

He was pale and visibly thinner. The strenuousness of this new work, and the vigor with which he went into it as an antidote for retrospection, had removed every evidence of inactivity and dissipation, leaving him as racy as one of the colts that now whinnied to be galloped around the track.

But just at this moment he was weak and nervous from a dumb struggle that was going on between his two natures, and Dink's arrival

happened when his best impulses were slowly yielding before the terrific onslaught of desire.

"I was a-thinkin' of yer las' night," the mountaineer said, leaning his long squirrel rifle against the wall, "an' somethin' kinder told me yer hain't got no hankerin' fer yoh job with these heah critters." Then drawing out the flask, and lowering his voice to a confidential whisper, he added: "Have a drink?"


Toby had listened to his first words with little enough concern, but this last brought him to his feet with a furious oath.

"No!" he yelled, towering over Dink, who shrank back and reached for the rifle. "That is," he continued, after a tense pause, "I mean to say no."

"Thar hain't no mistakin' what yer meant ter say," the mountaineer observed, taking a deep breath of relief. "But ef it makes yer take on so, mebbe I'd hadn't orter tell yer the rest I was a-thinkin'!"

During this time he was holding the bottle in his hand and Toby's eyes fastened on it with yearning persistency.

"I was a-thinkin'," he went on, "that I'd fetch this heah up to yer, an' bring along a leetle package I hain't got no use fer right now, so's ef yer wanted ter take a trip some night thar wouldn't be no objections."



He reached into his pocket now and proffered the money.

"What do you mean?" Toby asked, puzzled and almost afraid to understand.

"Nothin' much, but it hain't right fer no white man ter be worked like a nigger slave, so yer mought take this heah money, an' skip. Ef yer wants ter pay it back sometime, all right; an' ef yer don't, all right. That's what I mean!"

He stood with both hands extended, each with its temptation, while the tempted one stared at them dazed and fascinated by the possibilities they possessed.

"Suppose I don't want to go," he said slowly, drawing his eyes almost closed but never letting their gaze leave the bottle, "and suppose I don't want to drink," and then he burst into such a mirthless laugh that Dink again stepped toward the rifle, instantly returning, however, and shoving the bottle close to Toby's face.

"Heah," he exclaimed with some anxiety in his voice, "take a pull outen this heah, an' don't take on so crazy-like!"

A shadow fell across the threshold, and they both turned to see Virginia passing the door. With her Ralph Patterson walked, and as their

eyes, resting momentarily on the men, saw Dink's outstretched hand and what it contained, she gave a slight start, while her lips formed a protest she did not utter.

It took but an instant to happen, and when they had gone Toby caught Dink's shoulders and wheeled him about. There was no trace of the previous hysteria in his voice now — nothing but the earnest tones of a suffering man.

"For Christ's sake take that stuff away from me," he said hoarsely, "your bottle and your money — and get out quick!" He felt his control oozing away, and snatching up the rifle he thrust it into the astonished man's hands. "Hurry, Dink, d' you hear? You meant to do me a favor — I know, and thank you — but you don't understand. Quick," he almost pleaded, pushing him toward the door.

For a moment only he stood and watched the perplexed mountaineer go, then turned and went back to his seat on the upturned bucket. Sinking his head once more upon his hands he gazed stolidly at the earth floor, murmuring over and over again: "Will I ever shake it off — ever — ever!"

The minutes dragged by in a funereal procession of suffering ages, and still he did not

move. The dull stamp of horses in nearby stalls failed to arouse him nor did he stir when again a shadow darkened the stable door and fell almost at his feet. For another minute it remained as motionless as he, and then a soft voice said:

"Toby."

As though his nerves were a storage battery suddenly discharged by the contact of her voice, he sprang to his feet in utter amazement.

She had left Patterson at the front porch; she had, in fact, dismissed him as a punishment for a series of insinuations about the Colonel's new horse trainer, which grew more odious after their fleeting view of the tableau inside the stable. And yet, in that brief glance, she almost fancied she had seen something that Ralph could not have seen: a man wielding his will, as Laocoon had used main strength, to prevail against the hideous serpents which beset him. And walking thoughtfully back to the stables alone, she had wondered if, like the Trojan priest, he would also be destroyed.

So she looked at him with grave concern, as he stood before her, but when she spoke her voice was studied and conventionally cool.

"A little while ago," she began, "when Mr.

Patterson and I came by, I could not help seeing you and that man drinking. I merely want to tell you — indeed, my uncle would request of me — that we cannot allow the men on the place to drink.”

She was not finding it quite as easy a task as she had expected.

“Of course,” she continued, still looking him in the eyes, “we cannot stop you — that is, I have just been informed that we cannot keep you from getting it on the sly from this mountaineer, but I — that is, my uncle — does not think you will continue after understanding how much he is opposed to it.”

She was compelled to stop now, confused before his steady, though polite, gaze. Before she finished he felt his anger rising, both at the belief that Patterson had lied to her, and at the injustice of her accusations. But he waited, taking several slow breaths before daring to reply.

“I believe I do know how much he is opposed to it,” he finally said. “I also know that he has no idea how much I want to drink, or how little I care for his opposition. This may sound very strange to you,” he added, seeing her eyes widen in surprise, “and you may pardon me or not, just as you choose, but I am not

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responsible to the Colonel, and my interest in him is merely that of anyone toward a noble gentleman."

In the momentary silence that followed he regretted this, and would have told her so, but she was speaking again.

"I should have supposed," she said, turning slightly toward the door, "that your interest in him was also that of a — of an employee; but, of course, I have been mistaken."

He flushed at her hesitation for the term.

"Were the Colonel my employer in the sense that I should be obligated to him for work, I would respect his wish or leave," he replied hastily. "But I cannot very well lose sight of the fact that this is in no way true. You, yourself, own my working capacity," nor did he hesitate when a hurt look of embarrassment crossed her face, "which your uncle afterward assumed for obvious reasons — to spare you, in fact; but he knows, and you know, and I know, — and so does everybody else know who knows anything at all about it — that from daylight till dark each tension of muscle, each breath of toil, goes to liquidate the debt I owe you. This you have a right to demand, and this I shall not be lacking in; but whether I shall sleep five hours or ten, or drink from a

spring, or a bottle, or say my prayers at night — I do not hold that one dollar quite buys such depth of bondage.”

He had been talking stubbornly, furiously ahead, crazed by this humiliation, maddened by her misunderstanding of Dink's visit, presumptuously jealous of her apparent intimacy with Ralph Patterson, and now, once more, suddenly overpowered by another feverish longing to drink great gulps of burning liquor. These passions had entirely swept away his earlier determination to stop, and he was mentally blind to everything except the unutterable craving. Beautiful and inexpressibly tender as she seemed to him, he wanted her to go; he wanted to climb the ladder to the hay loft — not to fight it out again alone, but first to pay a visit to Bender's hospitable cabin, and then to drink and dream, and feel the old time geniality with himself and the world.

Her face was pale when she spoke, and her voice was as cold and passionless as his had trembled with suppressed emotion.

“I think,” she said slowly, “that you will find your premise is wrong — wrong from the beginning. My uncle has assumed an interest in you, it is true, but not because he wants to get the full benefit of your strength. You may not

be aware of it, but there does exist an interest in the human species that asks of it no reward except a clearer consciousness of its own frailty, and a resolve to improve. And drinking," she concluded, looking him directly in the eyes, "as you have been drinking, is a moral degradation I despise."

Had the overseer's whip fallen on his flesh the day he came to Glenwood, it could not have brought a sharper pain than these last words, and his inner self seemed to shrink before them like crinkling parchment. He still tried to meet her look, and succeeded long enough to see how brave and pure her own gaze was; then his head bowed, and, forced by wave after wave of stinging remorse, he turned toward the stalls, but not soon enough to stifle a quick sob that struck a dangerous chord of pity in her heart.

The unfamiliar sound of it in his own throat brought him together with a jerk, and he looked back rather shamefacedly to see if she had heard. But Virginia, mastered by sympathy and beginning to blame herself for not having been more kind, had left the door. A sudden impulse seized him, and standing erect he took a few steps after her.

"Miss Virginia," he called.

She stopped, waiting with some hesitation for him to come up.

"Miss Virginia," he said, now looking down at her with an engaging smile, "before you go please let me apologize for having been such a rowdy. I really do appreciate everything you said, but I was angry and — and," the smile vanished, "I had just been having a fight."

"A fight?" she asked in alarm.

"With myself, yes. I fight with myself from preference," he was smiling again, "because by such an arrangement I am sure to come out winner, no matter how it goes."

The diversion was grateful and she also smiled, giving him a quick look of approval.

"By the same token, then, I suppose you always get punished?" she asked.

"Always, but never deserved so much as this afternoon." He paused a moment, digging the toe of his shoe in the green turf. "I want to tell you something, if you don't mind. I was not drinking to-day, nor have I done so since coming here. It is true that Dink brought me a bottle, and he came at a time when I had just deluded myself into thinking that I would be willing to sell my soul for it." She closed her eyes as though in pain, but he did not see this. "But I sent him away," he

went on, "and his bottle also. Perhaps," he tried to speak more lightly, "I was beginning to regret it — until you came. That is all I had to say. Thank you for listening."

Something about the way he said it; something low and sincere in the timbre of his voice, let a slight wave of color back to her cheeks.

"I wish we could feel that you will never drink again," she said, looking up now more timidly into his face. "Surely one who is in possession of his faculties, one who can reason with himself, and who seems to be so strong otherwise, can assume control over this — if he wishes."

"I cannot contest in words with you," he said in the same serious voice, "or try to make you understand how sometimes — all too often — men mismeasure their strength against calamity, real and fancied. We prepare to bear up under certain burdens, and from time to time, by slow processes, we gather strength with which to carry more, when all of a sudden comes one of those fatal avalanches of despair that leaves us weak and helpless. It is then we yield, for when a man's heart sobs, the bars have been let down to his storehouse of resistance."

His voice trailed off to silence and he stood looking out across the horizon. For some reason she could not fathom she was beginning to feel that a change had come over him; that she was looking upon a person undergoing some peculiar form of evolution, and as he grew before her imagination into a splendid creature bound by merciless thongs of sorrow, her heart gave a great bound of pity, and tears filled her eyes. He turned and saw them.

"I am sorry," he murmured in the most gentle voice she had ever heard, "that I said so much. You must forgive that, also!"

"I can forgive a great deal, Toby, when one is sorry." And turning, she walked quickly toward the house.

CHAPTER VI

As the days passed, Glenwood grew fat with the increasing harvest. Everywhere were busy persons caring, or preparing, for the summer's bountiful gifts. This activity pervaded the big house where Emily, Virginia and Chloe peeled and cored blushing fruits for the bright copper kettles that simmered continuously from cranes in the smokehouse. Already stored in the cool cellar were preserves and jellies, pickles and jam, an assortment in plenty to meet the demands of a twelve-month.

As Toby came up from the orchard with a basket of plums on his shoulder, he paused at the door longer to enjoy the interior. The girls, in dainty blue aprons, with sleeves rolled high on their white, pretty arms, and hands wet with the juices of luscious fruits, were good to look at; while their tongues, keeping time to their fingers, filled the room to its black raftered ceiling with a melody that was good to hear. The old negress, slow, staid, a veteran at this business, who scorned the need of an apron since she was not "mussy," was needed to complete the harmony, but a discord

came from one side where the Colonel, awkward and humped, gingerly handled a paring knife over the pan in his lap.

"Now, Em," he was saying, "this is the last!"

"Oh, but Daddy, see how nearly through we are, and you would only go to the porch and read some musty old stupid book. Come right in, Toby! Are those the Damsons? My, but they're beauties! Now, you dear old Daddy, when you finish those —"

"I positively refuse! And, besides, Toby wants to see me at the stables, don't you, Toby?"

"There is no work at the stables to-day, Colonel," he answered, catching Emily's humor. "I sent the men to help get in the hay."

"Is that so?" exclaimed Emily in delight. "Aunt Chloe, then we have a new recruit. Just put a chair over here and give Mr. Toby a knife. Now," she turned to him eyes full of merriment, "we shall see who goes the faster, you or Daddy."

"But," pleaded Toby, "I never did anything to plums in my life, except eat them!"

"Then pretend you are to eat these."

"And suppose he does?" laughed the Colonel.

"In that case," she drew her delicate brows together, "he will be banished from the smoke-house. It's the old law, I believe."

"It's no use," sighed the Colonel, as Emily's new recruit dropped into his place.

"You couldn't drive nurr one of 'em out wid a stick, honey," whispered Chloe, keeping an eye on Toby's beginning.

Indeed she was right. Ever since Emily was big enough to take part in it, the Colonel had looked forward to preserving time with the rarest pleasure, and for weeks ahead his question was common in the house: "Are the kettles and jars all ready?" Chloe had once said that he was "as fidgety as if lookin' for a new baby." Each year he and Emily had gone through the same performance — he the pretending injured parent, she the tyrant. This year he was enjoying it more because Virginia was with them.

Toby, perhaps, felt the better satisfied to be there, but in a different way. His was a nature fed by the companionship of women, and this had been denied for a long time. Despite a certain affected indifference, his veins ran full of warm red blood that nurtured a mind toned to the most delicate touch of refinement. And besides, there was Virginia, Virginia of

his dreams — and Toby was a dreamer of dreams.

“Jelly done, Vee?” Emily asked after a prolonged silence, in that expressionless voice which conveys the impression of busy hands.

Virginia crossed to the fire and dipped from one of the kettles a little of the hot syrup that she poured into a saucer to watch cool. Shaking her head negatively she moved back toward her chair but stopped and, pointing an accusing finger, exclaimed:

“Will you please look at Toby!”

Poor Toby had been reaching absently for one plum after another which he chopped into any sized pieces to drop unheeded to the pan, disregarding all rules for seeding. His fingers had worked automatically, while his eyes were on the girl and his thoughts skylarking somewhere in the ether zone.

“Isn’t it right?” he stammered, dazed by the sudden drop to mundane prose.

“Dar ain’t no one kin wuk wid dere han’s an’ keep dere notions somewhar else,” Chloe declared with marked emphasis, whereupon he blushed furiously, and Virginia thought of something else to do about the kettles.

“Never mind, Toby,” joined the Colonel, quite unconscious of Chloe’s application. “We

must get Jeff to invent something that will do this for us."

"Marse Roge', some day I'se gwine t' kill dat nigger for foolin' wid dem onery 'ventions," was Chloe's comment on this, — a vast relief to Toby's confusion, until he turned and caught Emily quietly and quizzically looking him through. Then he plunged ahead for refuge.

"Jeff is like that inventor buried over there at Bardstown who, also, had domestic troubles peculiar to genius," he said. "He once wrote to an old friend that if he had known in the beginning of the anguish and vexation lurking behind a wife and a steamboat, he would have fled in terror from the one and never undertaken the other."

Chloe sniffed.

"Who was that?" The Colonel was interested.

"John Fitch, who invented the steamboat."

"I thought Robert Fulton invented the steamboat," Emily said in surprise.

"That is a popular impression, Miss Emily," he replied.

"I knew that Fitch antedated Fulton by a little bit," the Colonel said, "but had never heard of his being buried at Bardstown."


"By more than a little, Colonel," the younger man told him. "One time I was shown a copy of the 'Philadelphia Federal Gazette' of 1790, in which appeared an advertisement about this boat. I remember it because it was so unique. 'The Steamboat,' it stated, 'is now ready to take passengers and is intended to set off from Arch Street Ferry in Philadelphia every Monday, Wednesday and Friday, for Burlington, Bristol, Bordentown,' and so it went on, giving the fares in shillings and pence to each of these landings. The same notice also appeared in the 'Pennsylvania Packet' of the same year."

"How odd to say 'The Steamboat,'" Emily suggested. "There was only one, then?"

"Only one. And, you see, it was ready for business in 1790, while Fulton's boat did not make her maiden voyage until seventeen years later.

"A greater disparity than I supposed," the Colonel said. "How did it happen that Fitch was buried here in Kentucky?"

"The Government had given him large land grants in this state in recognition of a survey and map of the northwest — or what was then considered to be the northwest — that he had made earlier in life and engraved on copper.



Many hundreds of his acres had been sold in order to project the steamboat idea, but a little remained and to this he turned after the invention had proved, from want of general confidence, a failure. He died in Bardstown a broken-hearted man, somewhat embittered toward the world, and leaving a prophecy that the day would come when steamboats would ply the western waters and men would point to his monument with pride."

"Then it, at least, must be beautiful," said Virginia softly.

"There is no monument. A few years ago I went there with the view of locating his grave, and, after a search, found it in a little hollow, covered by a tangle of grass and weeds. The experience was not cheerful."

"Has the legislature ever been petitioned?" The Colonel's voice was far away and mellow.

"No. No one seems to have taken the trouble, and really few, or comparatively few, know about it at all. It is a horrid thought to me, the thought of being wholly forgotten; to be absolutely alone and unknown in a lost grave—and especially for one who has fulfilled his part in the general betterment of mankind; setting, as he has done, his impress on the world's eternal progress. It would not seem at

all unjust," he added slowly, "if he had died a drone, for then posterity would owe him nothing."

In the following silence it gradually dawned upon Toby that just such a situation was transpiring as he had dreamily thought of that first day in the wagon, when Jeff was holding forth about inventions and he himself feigned sleep in order to contemplate what the coming days of bondage held in store. He realized now that he had been saying things which might not be expected from a vagabond sold into servitude, and felt sure that they had observed it, so for several moments his head remained lowered as he slowly reached for another plum. When he glanced up, they were looking intently into his face, but politely resumed their work, and perhaps all were more or less grateful to Chloe when she said:

"Dis will do for t'day, honeys. Run 'long now, an' git purty for dinner!"

Toby took up the empty basket and went toward the stables. The girls watched him as he swung off down the path with easy grace, and the Colonel cleared his throat.

"What do you think of him, Daddy?" Emily asked.

"I am frank to confess that I do not know

what to think," he answered. "A very unusual young man; even a charming fellow in spite of the place he holds. I wish I knew who it is he reminds me of. But come, dears, it is late."

That night the long, low windows leading from the music room were open, and Virginia was playing. From a shaded lamp near the piano the light fell full upon her hands and found no flaw. Tempered rays, only, touched the high-lights of her sensitive profile, then faded and died into farther parts of the room where the Colonel, his chin upon his breast, seemed but a shadow picture. By him, and in even dimmer outline, sat Emily, and the face of each was turned from the player as they gazed intently at nothing just beyond their eyes.

Toby had come quietly into the moon shadows on the lawn and lay stretched out upon the grass to listen. Under the rich, simple spell of Mendelssohn he felt that to be there was all he could ask — unless, indeed, it were to be within and one of them.

At last there came a lull, then a few soft chords of another master, and Virginia's voice, full and sweet, floated fearlessly out through the darkness.

"Oh that we two were Maying," it said,

"Down the stream of a soft spring breeze;
Like children with violets playing
In the shade of the whispering trees."

And the interlude murmured: "Listen! I am singing to you!"


"Oh that we two lay sleeping,
In our nest in the church yard sod;
With our limbs at rest on the quiet
earth's breast,

And our souls at home with God."

There was no more, and he lowered his head till it rested on his outstretched arm.

Idly he watched the Colonel close the windows and lock the house. One by one the lights went out, except at an upstairs window where Virginia soon came and looked into the night. But not for long, and when the blind had been drawn and her shadow upon it grew large as she moved about the room he closed his eyes that he might not see. It was dark when he looked again, and the house loomed silent, grim and forbidding.

From somewhere out of the soft night, with caressing fingers, a drowsy breeze felt its way through the leaves and touched his cheek. White, fleecy clouds, vagrant members of the lost clan, slipped noiselessly by on their ever-restless, never-ending journey.



Virginia, riding on one of these, passed over the house and threw him a kiss from the rosy tips of her fingers. Once more she came and floated nearer, down, down in graceful, widening circles, until she lay close by his side. There, in a deep profusion of flowers and fancies, she sang again.

The stars were pale when he sprang to his feet and stumbled, half awake, toward the cabin in the maples.

CHAPTER VII

The blue haze was on the woods as September drew to a close. A hot, sultry month it had been, with intermittent showers of light rain to keep the leaves fat with sap. Limbs drooped, heavy under the thick foliage, as a man tired from work might let his hands hang idle over the arms of his chair.

Along the fences blooms of goldenrod, too mature for their slender necks, bobbed their heads wearily from side to side at the bidding of the breeze.

Near and far, across the rolling landscape, patches of dark green stood distinct from the brown stubble of the wheat fields and the soft tint of bluegrass pastures. This was tobacco, the crop toward which Kentucky turned her eyes at this season.

For many years no handsomer plants had been seen than those upon Bob Clark's acres. Sturdy and free from blemish, they reached well up to the shoulders of those who worked among them. Worms had been scarce this year; no driving storms had bruised or broken the leaves that swayed in graceful bends, and

all was ready for the cutting. Indeed, a group of hands had begun an inroad upon one of Bob's fields and, as stalk after stalk was slit from tip downward, cut off and placed astride light laths to be hauled to the barn to dry, the negroes sang in weird, mellow minors, cadences peculiarly their own.

The Colonel sat in his big chair on the porch at Glenwood, wrapped in poetic drowsiness. His eyes were closed, but his other senses had been turned free to forage over dreamy paths and carry back those simple tones of life his fancy loved. Touch, was offering the grateful shade that screened his body from a hot September sun; his ears were bringing the faint call from a far-off field of harvest hands; his nostrils were feeding breaths of air laden with the scent of new-cut clover, and in his mouth a spray of mint added its suggestive charm of other pleasures.

Two horses, bearing Virginia and Emily, came slowly in the lane and at a walk turned toward the stables. Raising their feet with sure, quick steps that gave evidence of no fatigue from the morning gallop, they champed their bits and royally tossed their heads up and down in the sheer enjoyment of living. This sound, too, reached the Colonel and he opened his eyes.

"Heah, you Klu Kluxes!" he called, rising. "Tie yoh mounts to the rack! There isn't anybody at the stables!"

He noted the ease with which they dismounted and made the bridle reins secure, and the attractive picture they were crossing the lawn; in their sailor hats, their trim habits hitched up at one side, and their polished boots glistening in the afternoon sun. His eyes were filled with more than usual tenderness as he looked at them now, because that very morning Emily had told him of her engagement to Bob as a sort of preparation for the young man's visit. Smiling, he went down the steps to meet them.

"Upon my word," he said, taking Virginia's crop from her hand and shaking it in her face, "if anyone comes around heah to steal you away from me, I'll fill him full of buckshot! Yes, suh; by Gad, suh; I will, suh!"

"You see, Vee, he doesn't care for me at all, any more," Emily remarked.

"For you, Miss," he said tenderly, passing his arms over their shoulders and leading them back to the porch, "as I live, you are both the cream of Kentucky, and for two cents I'd shoot the next man who comes on this place!"

"Big, ferocious, terrifying, old Daddy," she



murmured, patting his hand. "Sometimes I really wonder how I could have lived with you so long."

"It certainly seems a short enough while for little girls to grow up and get married in," he replied sadly, waiting for them to be seated and then taking a chair opposite. "When I was a young man—"

"He is going to tell us, Em," interrupted Virginia, "that when he was a young man your mother made him wait until she passed twenty-five, and our grandmothers on both sides of the house considered thirty a proper age, while I presume if he went back far enough he might come to some generations where the women died of senility before even considering matrimony at all. I don't think that would be just nice, do you?"

The Colonel chuckled. "I had no intention of so scandalizing our family," he replied. "I will say, however, that the generations must have followed some good rules, for nothing could quite reach the state of perfection I see before me now," he bowed gallantly.

"Entirely due to the fact," Virginia observed, carelessly pulling off her gloves, "that we take deep breaths, chew our food, eat meat only to the equivalent of one small chop a day, and

sleep with our windows open and our mouths shut."

The Colonel chuckled again. "Never mind," he said, "you all will thank me some day for enfo'cing those rules."

"How many times do you chew a julep, Unks?" she asked shyly.


"More times than it would take to eat you up, incorrigible Miss," he declared in a burst of laughter. "I'm sorry now that I didn't let you go on to the stables!"

A little while later Virginia, looking toward the horses, asked: "Why are the men away?"

"Every mother's son I could lay hands on has gone to that new piece of ground," he told them. "It has been fallow for ten years and simply must be cleaned up and plowed befoh fall."

"So you have at last bought that strip of contention!" Emily exclaimed.

"I got possession this morning," he replied, "and sent a gang of men to begin at each end of it—Toby taking charge of one and Bender the other. This is a strip of bottom land, Vee, that I've been after for twenty years, but the old fellow who owned it wouldn't sell. He had no use for it, either, because he lived a hundred miles from heah and just let it grow



rank. But a little while back he died, and, of cou'se, that settled it. It seems too bad," he continued after a pause, "that a man's death should bring satisfaction to anyone, and yet I'm afraid I feel very much that way now."

His eyes, turned toward the pike, held an expression of deep thought, and the girls following his look saw Ralph Patterson cantering leisurely in the lane.

"I think I shall go up," Virginia said, "Mr. Patterson bores me."

"You shan't leave him for me," Emily laughed, springing after her.

"Heah, don't you all think I'm a debutante, either," the Colonel was beginning to protest, when they were checked by Chloe who appeared around the corner of the house and pointed vigorously behind her.

"Marse Roge'," she called, "dar's sumfin' wrong over yonder!"

The girls turned with him, walking down the steps and across the lawn. Approaching the old negress, they saw three men closely grouped and heading laboriously for the nearest stable. Though some distance off they were able to recognize Bender on one side and a darky on the other, while between these two, supported by their arms, the third was staggering. It was Toby.

The Colonel's fingers went to his imperial and no one spoke, for the picture seemed all too easily translated, and each with varying degrees of emotion stood shocked by the humiliating spectacle.

As the men shouldered their way in the door, the old soldier looked sadly at the ground.

"Poor boy, poor boy," he sighed. "I'm sorry I saw it."

"Look!" It was Virginia's voice, though dry almost beyond recognition. She had not moved or taken her eyes from the door since the men disappeared through it, so now she saw the darky dash out and come frantically toward them. It did not take him long to cover the space.

"Cunnel," he panted, rolling his eyes in terror, "Mister Toby—Mister Toby's done got—bit by a rattlesnake. Joe Bender says t' send de whiskey quick!"

"What!" the old gentleman cried, charged into instant action. "Heah, Tom," he thundered, giving him a push toward the rack, "jump on one of those horses—the bay is faster—and go for Doctor Meel. Ride like the devil, do you heah? Kill the horse if you have to, but get him!"

Patterson came up as the boy dashed away.

"What's the matter, Colonel?" he asked, springing to the ground.

"We want the doctor, Ralph. Will you also ride for him, in case Tom's horse falls down or throws him off? The boy is only on a side saddle!"

"Certainly," he exclaimed, preparing to remount. "But Doc isn't in town. I just met him a mile back turning into the Hewlett's place."

"Oh, please hurry, Mr. Patterson," Virginia cried. "Tom doesn't know that!"

Ralph made her a gallant bow. "If my horse ever ran, he shall do it now," he said, turning and starting off at full speed.

Old Chloe tossed her head and sniffed.

"Yas," she exclaimed with scornful emphasis, "an' ef he knowed who de doctor wuz for, he'd be lettin' dat hoss eat grass 'long side de road no sooner 'n he got ouden sight of de house right good!"

Emily was already in the house. She had not even waited—knowing the accepted remedy for a rattlesnake bite—to hear Tom finish the message Bender had sent. She also knew the horror of it, because some years before when Bob was clearing up his place a poor fellow had been struck, and his agonizing death was one of the dark memories of her life.

As she returned with the decanter, the Colonel took it almost roughly and started on a run to the stable, followed by Chloe, who protested loudly each step of the way against so much haste.

"Let's go too," Emily cried, "and see if we can do anything!"

They approached the door and hesitated, for the Colonel's voice was sounding from within. It was tremulous with alarm, sometimes rising almost to anger and again entreating softly as a woman. Occasionally Chloe would say something, but they could not understand the words, nor did they hear Toby speak at all. After some time of this—a duration that might have been a minute or a month— Virginia whispered:

"I cannot stand it, Em! Is he dying? Do people really die of rattlesnake bites?"

"One of Bob's men did," she answered with a shudder.

Virginia's hands went to her throat as though to stop some involuntary protest, for now everything behind the stable walls had grown suspiciously quiet, as though a soul were just gathering itself for a leap into the great beyond. Then something stirred and came toward the door, but the tread was soft and on

tiptoe, and neither of the girls breathed, believing, as they did, that it was the Colonel bringing the most feared news. Only Chloe emerged, however, blinked an instant in the sun and beckoned them.

"Come in heah, honeys, an' help Marse Roge'," she whispered.

"Is he dead?" they asked in a breath, clinging to her.

"Not yit," she answered solemnly.

Toby was lying on a hurriedly thrown together pile of horse blankets and the Colonel knelt at his side, holding to his lips a tumbler half full of whiskey. His eyes were closed, and on his face was an expression of such pain that Virginia took a quick step toward him, but stopped when she saw his lips begin to move.

"No, Colonel. Thank you—no," he panted in a weak voice.

"But, my boy," the old gentleman begged almost tearfully, "this is the only thing that will save yoh life! Drink it!"

"Maybe not as—bad as that," he said again. "Don't ask me."

The older man turned with a gesture of helpless despair.

"I cannot get him to drink it," he whispered.

Virginia hesitated no longer but took the

tumbler from his hand and moved like a passing shadow to the other side of the rude couch. Bending over him she said softly:

"Toby!"

He did not reply and, noting how quick and shallow his breathing had become, her alarm increased.

"Toby!" she called this time.

His eyes opened wearily and closed again, but they held no surprise at seeing her there. Pain or weakness had turned his face an ashy gray.

"I want you to drink this," she called in a louder voice. "It will cure you!"

"Miss Virginia," he said, trying to arouse himself, "please—do not ask me. I will be all right."

"You are dying," she screamed, bending close to him.

Again his eyes opened. "I—should rather," he whispered, "if life were brought by dishonor to—a promise." And added, almost as though it were the beginning of a delirium: "Drinking—is a degradation I—despise."

The blood flew into Virginia's cheeks and then left them suddenly white, as she sprang back with eyes of horror.

"Oh, Emily," she gasped, "I asked him

me all 'bout it. But if mah lambs is gwinter git mad wid ole Chloe, she can't 'member what he said."

"Oh, please don't act this way, Aunt Chloe," Emily begged in a distressed voice. "We have gone through so much to-day!"

"Dar now, honeys, I wuz jest a-foolin.' What you reckon!" She faced them with flashing eyes. "What you reckon he done t' git bit? Joe Bender says dat one of dem good fer nuthin' boys dey had down dar a-clearin' up de ground come acrost a rattler, an' de notion kotched 'im t' play a joke. So he gits a long stick and puts it under de snake's belly, an' gives her a flip—dat-away—shootin' her up in de air t' whar de crowd wuz. An' it fell right 'round Tom's neck, an' Tom yell, an' de snake squirm, and haul off t' strike 'im in de face, an' all de mens jest hol' dere bref, like dey paralyzed, when Marse Toby jump out an' grab hold of it an' yank it off. But while he save Tom, he wan't quick 'nough t' save hisse'f, for de rattler hit 'im—spang!—right in de ahm. Den what yoh reckon he done—an' de doctor kin tell yoh dis hisse'f, fer he seen it when he took de bandage off: Marse Toby shake de snake to de groun' an' say: 'kill dat, somebody!' den he pull out his knife an' cut a

piece offen de plow line an' has Joe Bender tie it as tight as he kin pull jest above de bite. Bender say he made 'im pull so tight he mos' bury de line out er sight. After dat he hol' out de knife an' say: 'kin you cut de bite open, Joe?' but Joe says no, by Gawd, he can't. So Marse Toby makes 'im hol' de ahm right steady, den he takes de knife hisse'f an' makes two cuts whar each of de fangs went in. When de doctor took off de bandage an' seen it, he whistle an' say dat was shoh nervy, an' what save his life. Now dey jest taken 'im over t' de cabin. Jeff an' me 's gwinter set up wid 'im tonight an' give 'im de medicine, an' inside a week de doctor say he'll be as sassy as a chipmunk. Heah come de Colonel now, jest a-bustin' t' tell you all 'bout it!"

CHAPTER VIII

There was a great deal of the boy in Bob Clark's heart as he cantered up the avenue that led to hospitable Glenwood. A buyer from Louisville had visited his tobacco fields and offered—with certain allowances—a generous sum for the yield. The agreement had been signed and one copy in possession of each assured him that the deal was final. He anticipated no misfortune in harvesting the crop, since the weather promised fair and his workers were ample.

He may have felt the pleasant glow of victory, knowing his plantation was a proven success with greater promise for each succeeding year, but thoughts of another victory now lighted his face and drew his big honest mouth into a broad grin: thoughts of a June night, when every rose, bursting into the fullest joy of life, was spraying its sweetness over the moonlit lawn, and Emily had promised!

It was on the rustic seat he was just now passing, that, after the first hour of rhapsodies, they had essayed an exchange of material confidences. She had listened very attentively

and weighed their future prospects with the solemn wisdom of her years, and as he pictured for the dozenth time the restoration of the plantation that would be able with one more crop to shake off the yoke of debt and stand a valuable estate, she had discouraged haste with owl-like seriousness; insisting, that, at no matter what sacrifice, he should speak to the Colonel only after all of this had been accomplished. It would be a dreary wait—yes, several months—but life was a very serious thing. And so it was understood.

And Emily, too, had spoken of a score of ways in which she would economize against the heartless scourge of possible necessity. Dear little Emily and her economies!

With what enthusiasm did she send to Lexington for a seamstress and mortify old Chloe's dignity by having some gowns made over, which, when finished, were declared to be such frights that they became the instant property of a poor family living down on the creek!

With what an important feeling of self-sacrifice did she enter Louisville with Virginia and the Colonel on their semi-annual shopping tour, convinced that her purchases would barely answer the cries of need! But the shops

offered many allurements, the styles had changed, and everything she had at home was so passe!

As she wound in and out with the crowd, she remembered that Bob had never seen her in this color; nor had she worn that one (it used to be most fetching) for a long time; and there was one over there he had always liked her in; and the one yonder, something entirely new, the salesgirl said, would do so well for evenings; then a lace caught her eye, a real bargain, not that she needed it at all but it was so ridiculously cheap; and—and—Emily's economies!

When he saw the bills the Colonel gave a slight cough, which expressed volumes from the liberal Colonel. "I infer that God is going to make your delectable sex different again this fall," he had chuckled. "Are you to be larger around the top, or have shorter waists, or just what is the new human design?"

If Bob had been aware of the actual result of that trip, he might have hastened to clear and plant more acres of tobacco, but all he ever knew was that she seemed sweeter in each gown or color she happened to be wearing. Green, pink, brown or blue were alike to that young planter when Emily's face crowned them with a smile.

"You're a no 'count tramp, Bob," the Colonel called to him now as he ascended the steps. "You've not been over to get tight with me for ages. I don't like to be neglected this way, and the girls are furious because they want to talk about the ball with you!"

"But the ball is weeks off," the young man laughed.

"Of cou'se, of cou'se," he admitted, "but you know how girls are about such things, Bob. They fuss around and plan for weeks beforehand, and laugh and talk about it weeks afterward. Really, my annual ball is the most economical sou'ce of entertainment known to science: one night's outlay will keep us amused for a sixmonth, suh."

"May I stay to dinner?" Bob asked, laughing again.

"No, suh, you don't deserve a bite for the way I've been treated. Chloe!" he called, "Mr. Robert will dine with us."

"Yes, sah, I seen 'im comin'. Good evenin', Marse Rob, we'se proud t' see you, sah. Marse Roge', de dinner's most sarved."

To the Colonel, Chloe always announced dinner a few minutes beforehand, which was his invitation to the sideboard. Smiling at the old servant's familiar dignity, ever a secret joy

to him and his guests, the men entered the dining-room and began to crush the sugar for their toddies.

After a moment Bob cleared his throat, but as the Colonel looked up he became absorbed with his glass. The Colonel's attention went back to his own task that to him was a matter requiring the nicest judgment.

Bob again cleared his throat, and his spoon rattled nervously, but the Colonel did not look up this time, beginning to understand something of what was on the young man's mind.

"Caught cold, Bob?" he inquired impassively.

"No. Yes, I suppose so. Is Emily coming down?"

"And glad to see you, sir," she said, entering at that moment with Virginia.

Truly attractive pictures they made, gowned with the arts of skilled fashioners, and the men's ready compliments were answered by low, graceful courtesies.

"I will take a sip of your toddy, Bob," said Emily advancing to meet him. "You men drink entirely too much, and besides I am chilly."

"And Vee shall sip mine," declared the Colonel, "while we are the better refreshed with a toast."

"Then," said Virginia, smiling up at him, "I will pledge to these gallant gentlemen!"

"Bravo!" cried the men, as the girls took a dainty swallow and returned the glasses.

"Are you not equal to a reply, Bob?" the Colonel asked.

Bob looked at Emily, at the floor and up again at the girls.

"I'm afraid not, Colonel," he grinned. "This dazzling array of beauty would rob me of words even if the knowledge of your own eloquence did not."

"What, you profligate! Well, I cannot see," and the way he raised his glass was a picture, "so rare, so pure, so noble, so true and so sweet a pledge unanswered. Rare, because 'twas born in a garden of beautiful, fresh young thoughts; pure, because 'twas nourished by the light of Heaven filtered through two wondrous eyes of brown; noble, because 'twas conceived by a mind that knows no meanness; true, because 'twas put into words by a tongue that cannot lie; and sweet, ah sweet, because 'twas passed through lips which send their perfume out with every whispered breath to fall, as a beneficence from Paradise, upon the sense of man. To you, then," he bowed gallantly, "and those like you;

angels of tenderness, Gibaltars of strength, an old man drinks this toast: 'Our Women of the Commonwealth!'

"We must crash our glasses to the floor after drinking that, Colonel," Bob cried, laughing with the others.

"You'd orter eat de glasses after such as dat!" declared Chloe from the doorway, who was often moved to some such outburst by the Colonel's eloquence, and as often forgiven.

The old soldier offered his arm to Virginia and, followed by Bob and Emily, they walked to the table.

"Gabriel," he said to the butler, when they were seated, "bring from the cellar a bottle off the third shelf on the right. Mind, the third shelf on the right. I feel tonight," he turned to the others, "that this occasion of beauty demands a wine of rare excellence, which you will find, Bob, in this Chateau Y' Quem, a vintage of '68, and, I think, quite remarkable for its bouquet and color. It will also go nicely with the birds Toby has furnished us."

"What birds are in season?" Bob asked in surprise.

"None, as a matter of fact. But an early flight of rail settled yesterday and Toby, knowing them to be migratory, persuaded a

few to remain. I took him my gun the other day, wishing to keep him from the stables yet awhile and encourage this form of diversion during his convalescence. By the way, he is a very exceptional young man. Have you noticed him much, suh?"

"He has dined with me several times."

"Dined with you!" Perhaps all three had a voice in this exclamation.

"Yes," Bob continued. "I saw very soon after he came here that he was up against a hard game, and, moreover, I wanted him as much for my own pleasure as for any diversion to himself. But each time he made an excuse until one day I told him frankly that he was a big ass to allow a sensitive self to stand between him and a good dinner, whereupon he politely assured me that his sensitive self only rebelled at eating with a bigger ass. We both laughed then, and he came quite willingly. Really, we've spent some delightful evenings together, but never once has he divulged the merest hint about himself. I happen to know, however, that he keeps a diary; so if lightning should strike him, or anything should carry him off, please remember, Colonel, that I now bid for it."

The Colonel smiled. "It would make good

reading," he said meditatively, and added: "I have sometimes thought that we might have him at our table instead of giving him a darky for cook at his little house. Indeed, I've looked at him with new interest since his heroic display of will power the other day."

"Of course, you couldn't do that," Bob replied, "but with me it is different. And he has cleared some legal matters, too. Only yesterday he drew up a contract for a Louisville tobacco house that is a work of art."

"He knows law, then? You surprise me," the Colonel exclaimed, then leaned back and laughed: "Upon my word," he cried, "there are moh lawyers in Kentucky, and less law, than anywhere on the globe!"

"But he didn't say he was a lawyer, either," Bob explained. "It came about over at home, when I had just signed some sort of an agreement with this buyer, and as a matter of courtesy, I passed it to Toby. He read it half through, then picked up a pen and deliberately scratched out my signature. Of course, I was surprised, and the other fellow got ripping when Toby showed up a paragraph that gave the Louisville people too much advantage. It was then he drew a new contract that made the buyer hotter than ever, but it was accepted

because Toby gave him no other choice. If he isn't a lawyer, he certainly seems to know all about it, and with a mind positively artesian."

"'Artesian' is good," laughed Emily.

Virginia was, perhaps, never more interested in a soup than in hers at that moment. It happened to be a kind that had little dough letters floating about in it, and she began absently to fish out with the point of her spoon a T, an O, a B, and a Y. The ever watchful Gabriel passed noiselessly behind her chair, concerned least something were amiss with his service, but the black butler was not letter wise and he returned perplexed.

"I may ask his advice on a matter," the Colonel said. "You have sold your tobacco, then?"

"Yes," Bob answered, devouring Emily's blushes," and much better than I expected."

"You told me that you had caught cold. How were you so imprudent?"

Now the Colonel said this with the air of a boy who lights the fuse of a cracker and steps back to watch results. Bob knew that when the old gentleman wanted to tease there was no resisting, and he floundered helplessly.

"My cold was the chill of apprehension," he

managed to say, "for fear you might look unfavorably upon something I was about to tell you. But of that we shall speak later, if you please. How about the ball?"

The girls plunged in. There would be, of course, the Breens, the Dollards, the Ralstons and Munns; Fanny Mallow would have a houseful staying with her from Nashville about that time and they might drive from the next county. Then a few from Louisville, Lexington and the bluegrass section were expected. These would stay over night, or longer.

"When I was down in Louisville, Bob," the Colonel said, "I ran across an old war comrade who promised to come. He afterward wrote that he would take the liberty of bringing with him another old friend of mine whom I have not seen for twenty-five years, Timothy Austin — Judge Austin now, and, I have heard, an eloquent jurist and a very wealthy man. In the letter he said that Timothy was breaking in health because of some great sorrow in his family, and he believed if we three met in reminiscent conclave, it would cheer him up. By the way, Em, I replied that we would expect them to stay a week or two. Will it crowd you?"

"Not at all, you old dear. Bob has offered his house if we need it."

"Which reminds me," that young man exclaimed, "that I shall have to get some workmen on my roof. Colonel, it's extraordinary what poor shingles they keep down at the mill!"

"Do get at it tomorrow, Bob," Emily urged, "so it will be ready in time."

"That's so," the Colonel dryly observed. "You only have six weeks, suh."

"I'd leave it as it is if I were you, Bob," Virginia suggested, "so if you take in any of Unks' old war comrades, they won't find it so hard to raise. How did you decorate the house last year, Em?"

"Goldenrod and purple asters bloomed late," she answered, "and of course, mistletoe. It was awfully pretty too."

"It was an awful lot of fun gathering it, I remember that very well," Bob remarked.

"Wasn't it?" she laughed. "Vee, I wish you could have been here. Bob fastened a saw to a long pole, and we tramped all around until we came to a tree thick with mistletoe, then he would reach up and saw great bunches simply loaded with berries. I was supposed to carry it, and he quite smothered me."

"With mistletoe?" It was the Colonel's dry observation, and Emily's face turned scarlet.

"I announced when we started out, Vee," Bob said, springing into the breach and, of course, making matters worse, "that I would positively kiss everything and everybody I caught standing under it. Em was very careful for awhile until she forgot and—"

"Bob! I didn't forget!" and amidst shrieks of laughter from the others she explained soberly, "I mean, that it was mean of him anyway, because I simply had to cross a creek on some stepping stones or get my feet wet, and mistletoe happened to be in a tree just opposite. I never supposed anyone would be ungentlemanly enough to take advantage of such a helpless position. Oh, but I did get even with him, Daddy! I led the way home by that corner of the lower pasture, you know, where Uncle Jonas' old cow always stands? For I was quite certain that lots of mistletoe grew in those trees, and sure enough there it was with the sweet-faced, waiting cow underneath and everything just lovely. "To your vow, Mr. Clark!" I commanded."

"I didn't do it," Bob declared.

"You did too. Right on her dear old cold

nose. And, Vee, he was the silliest looking thing I ever saw!"

"I only pretended to, Virginia."

"He didn't pretend," Emily insisted. "I told him that, as a man of honor, he would have to stand by his original declaration, inane though it was, or I would never consent to—" she stopped in more confusion.

"Never consent to what, Em?" Bob held the reins now.

"Come, Vee," she said with dignity. "We shall have our coffee on the porch while the gentlemen smoke."

Once Chloe looked in through the door and saw the men talking earnestly across the table. When they at last came out, she saw the old soldier put his arms about Emily and kiss her very tenderly three times. Then she saw Virginia give her an impulsive hug and kiss, after which they turned upon Bob, each grasping one of his hands as though it were a pump handle, while he grinned in delight.

"Bless de Lawd," she murmured, as two big tears zigzagged down the furrows in her cheeks. "Bless de Lawd! Ef I don't believe dar's gwine t' be a weddin'!"

That night Virginia sat on the side of

Emily's bed for a long, long time. When she finally went to her own room it was not so much to dream of her cousin's happiness as of a man who had been ready to die rather than break faith with her.

CHAPTER IX

One November morning a magic change appeared in the landscape of Kentucky. A wee frost-child, having run gaily out of the north ahead of his sedately following parent, had frolicked a whole night over the woods and pastures, indiscriminately and with impish glee handling everything that came within his reach. Oaks, black gums and sumacs showed scarlet patches of indignation, seeming to resent this impertinence from one so young; while the maples had paled, expressing in gentler tones of yellow and gold, a resignation to the inevitable.

Toby leaned across the rail fence that ran along the southern slope of Glenwood, and idly gazed over the country. He had found that it was good to live, and best to live there, for these last four months had taught him many things.

Because he knew a horse from fore to fetlock, the work appealed to him, and Joe Bender pleased the Colonel on more than one occasion by stating that they were showing more form than he had thought was in them. This

also had the effect of bringing the girls for frequent visits to the half-mile track behind the stables, where darkies rubbed, or exercised, or cooled the intelligent creatures under Toby's direction. Or perhaps he himself would be teaching a youngster the language of the bit, taming it to the feel of human weight or talking encouragingly as they dashed full tilt at a stiff jump.

This phase of horse life was new to Virginia, who expressed a wish to learn it, and she would sometimes go out when the others did not, frequently spending the entire morning there.

One day she wanted to try a jumper, so putting her on a safe hunter, Toby rode at her side while she mastered the take-offs. It required several lessons for this, nor did they desist until she and her mount were skimming the bars like one sensitive machine.

Shortly, thereafter, the whim possessed her to ride Tempest, a big vicious colt which Toby had but half conquered, but this he flatly refused. It was the first time he had refused her anything and the sensation was strange to them both.

"Aren't you satisfied with the capital work you have done?" he had smiled.

Her reply gave him much food for thought.

"No," she answered, and her brown eyes held a troubled look, "I am disappointed in people who are satisfied to leave well enough alone."

"I am sorry, Miss Virginia," he had said, "but you must not ride Tempest. You are not able to hold him."

"But just around the track? Please?"

"No, Miss Virginia."

Perhaps her pride was hurt; perhaps she rebelled at being crossed; anyway she said rather hastily:

"But if I want to? Surely you cannot prevent my telling one of the men—"

"No," he had interrupted, even more hastily, "of course, you can give the order if you like, but rather than see you mount that colt, I'll kill it."

For just a moment their eyes met and held. He had spoken with a depth of feeling, and it sent the color to her cheeks. Nor did she ask again for Tempest.

She had awakened him to many things, but that day marked the beginning of a desire to be up and doing; not to be a useless piece of human flesh to dole out a life of miserable obscurity, but to break through difficult places, to shoulder his way to the ladder and climb

across a small clearing, and out upon this dashed a horse and rider. The sun glistened against its sides and even at that distance he recognized Tempest. That the figure tugging on the reins was Virginia, he had no doubt, and his heart chilled as he saw her saddle was slipping to one side. They were but an instant in view before disappearing again into the trees.

Vaulting the fence, he raced to the road and turned down it toward the spot. A moment later the horse emerged riderless and dashed past him, snorting and trying to spring free from the dangling saddle that now struck its legs with every bound.

Filled with the keenest alarm, picturing the most racking scene that must lie beyond, he ran swiftly on and into the woods, for somewhere beneath its solemn roof she lay maimed, or dead.

"Virginia!" he cried. "Virginia!"

The woods seemed empty and lifeless.

"Virginia! Answer! It is I, Billy! Answer for God's sake!" he called again, not slacking his pace.

"Toby," came a low cry.

Then he saw her. She was standing, leaning weakly against a large beech, one hand

pressed on her breast, and breathing quickly. The terrifying ride, the narrow escape from a horrible death, the sound of his voice so filled with anxiety and love, all moved her strangely.

"Oh, Virginia!" It was a croon, soft and caressing, as with open arms he hurried up to her.

Her cheeks were very pale and her parted lips showed the tips of perfect teeth. As she looked at his outstretched arms, and into his nearing face, she felt somehow deliciously happy and, gently closing her eyes, waited.

Toby saw the white face, which he misinterpreted for faintness or pain. It pulled him suddenly together, and when he spoke there was a deferential concern in his voice.

"Are you hurt at all, Miss Virginia?"

She smiled up at him: "No, Toby, I was only frightened, that is all."

"Sit down please — yes, you must. I saw you cross the clearing and that your saddle was turning. You will never know —" he paused. "How did you get off?"

"By the way you showed me of freeing my skirt and stirrup and sliding off. I think you saved my life, really. Do you feel like a hero?"

"I feel very badly to think that you rode Tempest. Who saddled him?"

"Don't blame Tom, please. It was entirely my fault. You see, he couldn't disobey me as some people do," she smiled prettily. "But next time," she added, "I shall have a tighter girth and shall get on famously."

"There shall be no next time," he quietly answered.

"And why not, pray?" she asked in mild surprise. Her heart was dancing with a buoyant happiness, but Toby, being a man, saw none of this, nor the spirit to tease that went with it. To him the question was unfeeling and smacked of that oppressive calm which heralds an outburst. He was, moreover, still under the spell of her escape, on a very high tension, and this mood was dominating when he replied:

"Because I will not permit it. If that is not sufficient —"

"Oh, that is quite sufficient, Master Toby, I am sure," she answered, happier than ever, but affecting cold irony. "I would not dare to cross your imperial wish nor trespass upon your royal property. Command me, therefore, that your servant and slave —"

She stopped, confused, as she saw him wince, and could have bitten out her tongue for the foolish words she well knew had cut him to the quick.

In fact, Toby had so long ago won the graces of the family, that they never alluded to, and perhaps seldom thought of, his unfortunate position. The Colonel had once said of him: "He is patient to heroism under his cruel mental suffering, selfless in his consideration of those who surround him, inspired in his understanding of many who would have seemed utterly without the orbit of his sympathies," and to this Virginia and Emily had added a mental "amen."

"I am sorry," she began now, but he hastened to interrupt.

"Please do not apologize. I understand you perfectly and deserve just what I got."

"But you know I did not mean to —"

"To hurt me? No, of course not." He very unfairly conceived her to be making a conventional excuse. His voice was cold and he spoke rapidly: "You would not hurt anything, I am sure. Only this last week I watched you when you were on the end of the porch highest from the ground. Your collie, Beppo, was with you. You walked quite near the edge and were so amused because he barked and tugged at your dress that you repeated it several times. Did you realize that the wretched beast was in a frenzy of agony for fear you

would fall off? That he loved you and wanted to protect you, and was compelled to show it in his own particular way, since he had no other? You did not mean to hurt him, perhaps, but you did. You tortured him; repeatedly tortured him."

She stared in amazement, and then lowered her eyes as the parallel became clear.

"I know," he continued, "that I have no right to talk this way, you the mistress, I the servant, — the slave, since you prefer that term, which I agree is more fitting, — and I will never mention the subject again. But do you think I have forgotten it, that you must remind me with needless cruelty? Do you think that a day, or any minute of it, passes that I do not realize with a sickening heart the position I occupy? If you do, you give me credit for being made of coarser stuff than I deserve." He paused a moment and added quietly: "If you are not afraid to stay here alone, Miss Virginia, I will bring the cart, or send it."

But she remained silent, and he looked stolidly at the ground, expecting an avalanche of rebuke.

As the silence continued, he turned his head slowly around, and saw that her face was averted and bowed, that her shoulders were

moving convulsively. Her name sprang past his lips before he could check it and leaning forward, he laid the tips of his fingers on her shoulder.

"Please don't," he said. The voice was altogether changed. "Punish me in any way you will, but don't cry. I can't stand it."

"I am not crying," she sobbed. "It is you who are cruel."

"Yes, certainly, but please don't — don't do that!"

Tears were so alien to Virginia that the little storm passed almost as quickly as it had gathered, yet she kept her face averted.

"May I ride Tempest?" finally came a very small voice.

"No," he answered.

"Not if I really do cry?"

"Now, Miss Virginia," he began, but she laughingly turned to him.

"Weren't you crying?" he asked, half laughing himself.

"I'm not going to tell you," she said, and continued seriously with tearful eyes that answered for her. "You hurt me by talking that way. You couldn't have meant it — all, could you?"

"I would not have said it for worlds if I had


her mind gathered them into a more lovely picture, for she had learned much of the out-of-doors from Toby this last month. He had awakened her to things that had been meaningless before — the ways and wiles of birds, which he knew as a sportsman, and translated as a student and poet. And in other things as well — flowers that had always been more or less familiar to her, looked up now with new faces from the woods and fields where they lingered.

A mild autumn afternoon in a country lane, when the noises of the day have sunk to one lone bird call, and lengthening shadows lay across dry beds of yellow leaves that rustle at the touch of slowly moving feet, is a place of many pitfalls. No man and maid can take a path like this for long and hope to reach its end escaping that sly spider which weaves a golden web from mind to mind, or heart to heart, to catch their pretty secrets.

"Some day are you going to show me your diary?" she asked irrelevantly.

He laughed. "I don't know why you think I keep one, but certainly I shall not show it to you."

"That means that he will," she said, nodding to a thistle and flicking off its head with her riding crop.



"Never!" he laughed again. "You would cordially hate me for it!"

"Masterful egotism," she commented, looking for another thistle. "If only I had such overpowering faith in myself!"

She walked on in silence for a moment and finally, in a changed mood, asked:

"Toby, will you tell me something? Don't do it unless you want to!"

"Most assuredly I will," he answered.

"You seem very confident."

"The result of that overpowering faith," he smiled.

"And suppose I should shake it?"


"Suggest something possible; that the sun, for instance —"

"Now you are going to be flippant," she suddenly exclaimed. "But I am really serious." She thought awhile, then: "How did you happen to come to Panther?"

He remained silent.

"I really should not have asked you," she repented at once, "and we will not speak of it. Forgive me, please, if I have hurt you again?"

"Yes, we will speak of it," he said. "It is through no reluctance to answer, but just how, that made me hesitate. It is more of a story than you doubtless guess."



"Don't let's talk about it. Really, I would rather not. Oh, look at that exquisite cardinal!"

The antennae again.

"But you have a right to know. In fact, it is my duty to tell you, and indeed I've really wished to for some time, as — oh, just as a relief, I suppose. While I am in charge of the colts it doesn't matter, but now I am walking with you along a lonesome country lane, and you know nothing whatever about me."

"But Uncle said you were a gentleman." This rather in extenuation of her implied carelessness.

"He might be deceived by a veneer," he answered.

"But veneers are very thin. Surely yours could not have lasted quite so long, were it only veneer."

She said this lightly but at the same time was oppressed by a numb fear.

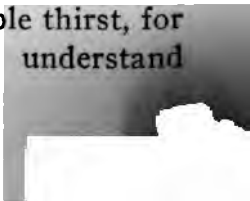
"Yes, that is true," he laughed, "yet even thin things, with a proper amount of polish, can stand the rub for awhile."

"I believe I'd rather not, Toby —" But he was absorbed in his own thoughts and did not seem to hear her.

"Somehow I've wanted to tell you ever since our first walk. Do you remember it?"

Did she remember it? She and the Colonel had gone to see a sick mare in one of the farther pastures, and found him there. It happened that a neighbor, passing along the pike, spied them and came in, concluding his visit by driving off with her uncle, who wanted to be shown another piece of land his mind was set on buying. "Toby will see that you get home, my dear," he had said to her, and with this encouragement from the old gentleman, the mare began to receive daily attentions. Sometimes Virginia went on these missions with Emily, sometimes alone, but always Toby was on hand to walk back. It was on that morning he first began to unfold the beauty of things about her; things that she knew, yet did not know; for a metropolis in winter, and fashionable resorts in summer, are not endowed with the subtler tints of nature, and these for the most part had been her schools.

It did not take him long now to tell as much of the story as could be divulged without revealing his identity — for he knew she had not asked him this, nor could he have brought himself to give it. He merely recited the underlying causes that sent him to a pauper's hut — an inordinate love, an unquenchable thirst, for intoxicants; deftly making her understand



that this, and not its accompanying vices, had been responsible; only going far enough into the facts to let her see that he had never lost all hold of himself until a quick and unexpected catastrophe sent him wandering, dazed and helpless, in any direction for the solace of seclusion, and to escape mute looks of reproach from a father he idolized. So it was that he had stumbled upon Panther — and she knew the rest. His statements were simple, but his faults and mistakes were laid glaringly bare, leaving what better motives he had in shadow. Nor did he touch upon his suffering at all.

She was quick to discern this, and mentally tempered much of his wickedness, and once, when in great gentleness of voice, he spoke of his devotion for home, she clenched her hands tight to keep back a sob.

“I have no excuse whatever,” he continued, “except that I was carried away by the fascination of its wildness. You look back with a shudder now as you picture the horrors of the runaway Tempest from which you so narrowly escaped death, but I dare swear that at the time the excitement was delightful. Just so it is that I have ridden a horse — my horse, Life. He has carried me to many places, and

once we circled the globe. We have trotted tentatively through unexplored countries; have cantered gaily into the most brilliant courts of Europe; have galloped gloriously into battle; have walked sorrowfully through plague-stricken lands, but upon that morning four months ago, when I stood upon the block, —”


“Hush!” she whispered, laying her hand upon his arm.

“No. It does not hurt when you are listening. That morning, when I looked across and saw you, was the first time he ever carried me to the gates of real, noble purpose. Whether they will open to happiness or pain, I do not know.

“That day,” he went on more slowly, “I walked into my cabin and threw my stock of whiskey out of the door. For the sake of the girl who had risked so much for an unknown derelict, for the sake of those brown eyes that showed me the heavens beyond, I swore it would be the last. It has been and will be.”

“I know of nothing,” she said very gently, “that could have made me happier.” And as her voice died away, the dove called again from the hillside.

They were moving very slowly now, and nothing disturbed the afternoon peace.



"You alone," he said at last, "have inspired me with everything that is good and worth attaining. When I get back into harness I will not stop short of undisputed success. It will not be my victory, but yours, yours always. And as I emerge the master of one thing to plunge again into another, my heart will sing: 'I have won once more for —' and in almost a whisper, 'for Virginia.'"

"I have thought so much about it these last few months," he went on. "I have pictured myself climbing as high as men can go, attaining places so exalted that praise and applause are indifferent, but when the evening comes I am always alone. Whichever way I cast, however the splendor of the career, there is always something unsatisfying, something lacking — empty. Then it is that ambition cools. Oh," he exclaimed suddenly, "if I could only put aside my position here long enough to tell you what I have dreamed!"

She understood. Did she not feel that he must be her equal in birth, and perhaps her superior in many things, she would have stopped him before this. Dissipated as his life had been, she believed that he was moulded of better stuff than most men, and what he now said was dangerously far from being offensive.

"I will always follow your career with great interest," she answered, ignoring the outburst, "and hope to be one of those to cheer your successes. You will not be lonely then."

"Indeed I shall need your cheers. But more than these, more than anything else, I need —" He shut his teeth to keep from saying it, and the muscles in his jaws grew tense, but it set her heart to beating with an ecstasy almost too wild for silent endurance, leaving her utterly indifferent to their respective positions, and sensible to nothing beyond the fact that he was there.

"When I do make something of it all," he was saying, "I want to take the hand of the girl who has done it for me, and together look back over the road I stumbled alone. And I want to hear her say that I shall journey alone no longer, but that what I have accomplished for her apart, will now be done with her at my side. Only in such a way is success worth while. Do you think she will mind, when she sees how very, very much I need her — and love her?"

"I should hope no one could be so ungrateful," she murmured.

He scarcely heard the words, but just a something in her voice threw his restraint

broadcast, and his strong hand closed about her own.

“Virginia —”

She stopped and faced him, putting her other hand upon the back of his.

“Ah, Toby,” she said, and her voice was sweet with happiness and tears, “do not say it! We both shall be sorry if you do. I know what is in your heart; I know what has been on your tongue to tell me, and I rejoice at the fineness of your fiber that each time you have kept from doing so. A moment ago I wanted to hear it — wait, yes, I did — but your own reluctance to trespass a tiny point of honor taught me something even more beautiful. So you see, we have helped each other. Go back to your dreams and live there, for among them you will find no false ideals — nothing to bring you disappointment. And sometimes I may come to you in that shadow land—yes, I promise to come whenever you want me — but go back now; it is best. Or else, tell Unks who you are and then face the world and show it how well you have won your fight. He will do anything for you because he likes you so much already, and you will succeed, I know you will, for my prayers shall follow you everywhere.”

They were standing very still and he was about to answer, when a voice hailed them:

"The gal ain't hurt, air she?"

It was Dink Wallerby with Tempest, who suffered himself to be guided along as though running off were a lost art. Dink was perched on the side saddle, with the long squirrel rifle balanced across his lap.

"Ketched him back thar eatin' grass, an' seen somethin' was gone wrong from the saddle a-hangin' under his belly. Hosses ain't rid around that a-way," he chuckled.

"Much obliged, Dink," Toby laughed, now several feet from Virginia. "Want to ride him over to the stables?"

"I mought, since I'm a-goin' that a-way, an' jest hurryin' a leetle bit, besides."

"We must also hurry," said the girl when the mountaineer had turned back. "See, it is almost sundown!"

"I think," he mused, as they fell into an easy swing, "that you are the best medicine in all the world. May I say that?"

Her eyes held a caress as she looked up at him.

"Since you have already said it," she laughed.

The sun, just setting, spread a crimson glow along the tops of the fence rails and tipped the leaves with livid tints. It played about the

girl's brown hair, striking the fluffy strands a deep gold.

"Please look at me again like that," he asked in a low voice.

"Do not forget," she said, but keeping her eyes steadily down, "that you are going back to your dream-world."

"To our dream-world," he corrected gently.

She was silent for a long while.

"Yes," she finally whispered.

"Perhaps," he said, after another long pause, "I had better say nothing to Colonel Dare. No matter who I am, or how much he might like to help me, my position under the law would be the same. But it is just like your goodness in everything to have suggested it. Please remember that I am always grateful from the bottom of my heart, and that I shall never forget you—Pure Gold, with brown eyes! May I say that, too?" He was smiling down at her now.

Turning to him eagerly with another look that made his chest seem suddenly tight, she answered: "Then hold to your ambitions and make me grateful also. If I can ever help you, ever, or if you ever feel that you are losing your grip on — on things, come to me."

They had reached the parting of their ways;

she up to the big house, he farther on to the stables. She held out her hand.

"Good-night," he said softly, raising it to his lips.

"God bless you," she whispered, and was gone.

He watched her until she became an indistinct shadow among the trees.

CHAPTER XI

But Virginia was scarcely out of Toby's sight when the underbrush that edged the path along her way parted, and a figure sprang out and grasped her skirt. She drew back in alarm.

"I didn't want to skeer you," said a wild voice, laboring for breath.

"What do you mean by springing at me like that?" Virginia demanded, cooler now that she saw the intruder was a rather wan looking child about in her teens, but tall and straight as an arrow.

"I didn't want to skeer you," she repeated, "but runned all the way to head you off. It's all right, hain't it?"

"Why, yes, I suppose so," she replied, laughing in spite of herself at this strange creature.

"I seen you," she continued confidentially, "and I know'd when he come out here as how 'twould be that a-way. If it warn't for what you did for him at the Court House, I'd been a-hatin' you 'stead of lovin' you. Is he a-settin' up with you?"

"Hush, child! I don't understand you. What is your name?"

"I hain't a-goin' to hush; I hain't no child; you do understand me, too, and my name's Nellie Wallerby. I'm a-talkin' 'bout the feller what's better 'n anybody in this whole county; him that them men went an' sold when not a one of 'em 's good enough to carry slop to his hawgs; the feller you went an' done the squar' thing by — Toby, that's who I'm a-talkin' 'bout!"

Virginia felt that she had to deal with a situation. Here was one of those half-civilized mountain children of whom she had heard, so human, yet so unlike her — a natural product of the wild, which all unconsciously cast its spell and held admiration. Nature-fostered, she was alike untutored in arts, yet an artist; untried by the world, yet wise; unyielding in hate, yet loving; unlearned of God, yet good. This all shone from the pretty, alert face that looked at her now.

"He has told me a great deal about you, Nell, and I am glad you came." She put her arm affectionately around the thin shoulders.

"Has he now?" the child exclaimed. "Oh, did he say I'd ever get to be a great lady, like you an' Miss Em'ly? Or maybe turn into one of them little black nuns over thar in the valley?"

"He said he was very fond of you," she compromised.

"Didn't he tell you nothin' else?" wistfully.

She could not disappoint this girl and so pretended to be thinking.

"Not as how he teached me 'bout figgerin' an' readin'? An' writin' too?" Nell went on. "I kin do 'em all now — some. An' didn't he tell 'bout the time he knocked Ralph Patterson down twict for jest speakin' yer name? Oh, but that was fine! I seen it all, ever' bit!" And making Toby, of course, a much greater hero than he really was, she launched into the episode with such graphic details that Virginia's cheeks found the twilight kind.

"You must come in to dinner, Nell, and we will drive you home afterwards. It is getting late."

"Oh, I've been eatin' dinner all day," she said, reaching into her pocket and holding up a handful of parched corn. "I don't mind it's bein' late, and besides you couldn't drive whar I'm a-goin'."

"Are you not going home?"

"Home?" she gave a sad little laugh. "We all hain't got no home now, I reckon. I'm fol-lerin' Pap to the shack over in the knobs thar. He's got ter lay out for awhile."

"Got to what?"

"Lay out. The revenoo fellers come down this mornin' an' someone told 'em Pap was at it agin. Me an' him jest lit, you kin bet! We air headed for Big Eagle Knob."

"Is your mother going also?"

"Never knowed I had one till Toby told me. But don't you say nothin' 'bout whar we-uns is a-goin'," she demanded suspiciously.

"Why, of course, not, dear. I want you to trust me and come to see me often, will you?"

The child moved imperceptibly nearer and her chin began to tremble.

"You air jest like him," she sobbed — for she was such a lonely child. "He'd talk that-a-way sometimes an' make me feel — oh, I don't know. One night he got Pap to quit stillin'."

"Stilling?"

"Makin' lickin'."

"Oh, is your father a moonshiner?" Virginia's northern life had taught her that a moonshiner was the most desperate, most wicked of characters, and there was that in her voice which betrayed it.

"What ef he is?" The little figure exclaimed, instantly rebellious.

"Isn't it against the law?" the other ventured cautiously.

"An' what's the law got to say to we-uns, anyway? How kin it be agin no law? Didn't Pappy go back thar ten year ago," pointing toward the foothills, "an' work like a nigger to cl'ar off a little piece of ground? He did, 'cause he told me so. Didn't he cut trees, and burn stumps, an' plow till he was plumb tired? Well, he did! An' he planted corn, an' he got his crap every year, an' its hisn, I reckon, hain't it? He kin feed it to his hawgs, can't he? an' the law don't say nothin'; an' he can grind it up for cohn bread, can't he? an' the law don't say nothin', neither. Then why can't he make lickier outen it if it's hisn, an' he done the work, an' earned it? You tell me that!"

Astonished at the child's vehemence, and not knowing this was the argument of vindication that had been used by these people for generations, she begged the question by saying:

"We shall be glad to have you stay with us until your father comes back. Then Mr. Toby will teach you more. Won't you like that?"

"Do you call him 'Mister Toby'?" she cried, clapping her hands. "Me an' him knows each other so well that I jest say 'Toby,' an' he don't mind. But I've knowed him longer'n you."

The superior air that accompanied this

statement was entitled to a powdered pompadour and lorgnette, and with suppressed amusement the invitation was repeated.

"Nope. I got ter be goin.' Pap'll be bothered, I reckon, 'cause thar hain't nobody to cook an' keep watch while he sleeps, only me. But you tell him I was here, will you now?"

"Will you send him a message?"

"What do you reckon I ought to say?"

"You might send your love."

"Shucks! He knows that. I send it to him every night, an' daytimes, too, an' he sends hisn."

"I didn't know you already had a messenger."

"'Tain't no human messenger. He says thar hain't no use for none, but to shet your eyes orful tight an' say it to yourself real hard like, an' it'll git thar. Lots an' lots of times him an' me talks that-a-way. He says God talks that-a-way."

"What else did he say about it?" Virginia's voice was very tender as she asked this. Absently her fingers ran from the child's shoulders, through her hair and touched her cheek, which she noted burned with a high fever, and at this she turned, saying earnestly: "You are not well, dear. I want you to come home with me."

"'Tain't nothin', I reckon. Jest a pain, in my haid. 'Tain't bothered me but to-day. Listen! Thar's the convent bell! It is gettin' late, sure 'nough!"

"Why, the convent is miles away. I can't hear anything."

"Maybe you hain't been listenin' fer it like I have. Often of evenin's, when the wind's kinder whispery, it comes an' says things to me. Did you know it was toted all the way from — I can't remember whar — but it used to belong to a real king? Pappy says he had it to call the hands to dinner, most likely. Oh, but it does say such soft things! Listen! Can't you hear it now?"

They stood with their heads inclined into the breeze.

"Yes," Virginia murmured, "I can hear it now. It is soft, isn't it?"

"Hain't it? An' sometimes I can't hardly help from goin' right thar an' bein' a nun. How do you reckon I'd look in one of them little black dresses? Well, I got to go. You tell Toby somethin' for me. He'll know."

Virginia took the face between her hands and kissed it. The little creature threw her arms around her with a wild, animal-like hug, then turned and fled.

“He says God talks that-a-way,” the girl mused, in the language of the child. “Ah, Toby, I am afraid you have been talking to me also, and of things you should not; and I listening, who ought not. Maybe I, too, might shut my eyes ‘orful tight’ and speak with you now, only there is the first star of the evening twinkling down and surely it would think me a very silly girl. But —” Then she did close her eyes tight, very tight, and when they opened she was blushing prettily.

CHAPTER XII

The house was ablaze with light and a fairyland of flowers. Crystal chandeliers vied to outsparkle the eyes and smiles of the beauty beneath them, and the walls seemed fairly to bulge with music and merriment.

No host could surpass the gracious Colonel whose magic compliments grew a rose on every cheek they touched, and Judge Austin had so capitulated to Virginia that he had been actually dragged into a lancers.

Now they were walking down the gravel drive that led past Toby's cabin, not that she had any design in going this way, but the steps of each had turned, as if naturally, toward it.

Toby had been careful to avoid any inquiry concerning the guests, from a reluctance to know that they might include some of his former friends; and she had divined this, but did not know that the arrival of the first carriage had sent him hurrying, because a woman alighted at whose house he had once been a frequent diner.

As darkness settled down, and the moon stretched over to paint black patches under

the trees, he sat on his door-step and watched the big rooms slowly fill. In spite of a nameless longing, he was deeply happy and said aloud: "I can sing with Browning tonight: 'God's in his Heaven — all's right with the world!'"

Feeding upon chance bits of laughter that reached his ears from time to time, he gave himself wholly over to the mystic environment. Soft, soothing breaths of orchestra, snatching up Virginia as they came, waltzed his thoughts back and forth through a loom of pleasant fancies, weaving a tapestry of perfumes that wrapped itself about his heart and soothed it with ineffable peace.

A hound barked, and later ran past with its nose to the ground. Looking after it, he saw indistinctly some one coming across the lawn. Whoever it was picked his way with suspicious caution, intent on keeping out of the silvery light that filtered through the branches to the grass. Toby arose, but smiled as he recognized the long squirrel rifle and characteristic figure of Dink Wallerby, so he reseated himself and waited, no longer wondering at the displayed stealth, for that was Dink's way. It had once been said that were ever this eccentric mountaineer to get religion, he would

reach the mourner's bench only by a careful reconnoiter from pew to pew.

Toby remained perfectly still, enjoying the odd approach, and waited until the wiry little man was quite near. When he spoke Dink sprang back and brought the rifle half way to his shoulder.

"How are you, old fellow?"

"Fer Gawd's sake, Toby, you skeered me!" He swallowed, and then: "I come over to see yer 'bout Nell." He paused.

"Nell?"

"Yes. She's took sick an' wants yer."

"Nothing serious, I hope?"

"Dunno! 'Pears like she wants yer purty bad."

"Come on, and we'll hitch up." He started toward the stables, but, with an air of embarrassment, Dink stopped him.

"Yer see, Toby, we air over to the shack. Yer can't drive thar."

Being at the shack expressed the situation so fully that questions were unnecessary.

"After you again, are they?" Toby said. "I thought you promised me to quit stilling."

"An' I hev, too. Someone lied on me."

"Did you leave her all alone there?"

"Thar warn't no other way."

"It will take three hours to walk it," Toby mused to himself, "which means that I will be missed tomorrow morning." Then to Dink: "Come inside."

He struck a light and seated himself at the old desk. It was in his mind to leave a note for Virginia, and not wholly because of the interest she felt in the child either, so he wrote: "My dear Miss Dare:"

It was a strange feeling, this making a first note to her, but the beginning did not quite suit, and after scanning it a moment, he drew out another sheet of paper. "My dear Miss Virginia:" he commenced this time. Again he pondered over it, and began still another: "Dear Miss Virginia:" This was better, but even it was tossed aside and once more the pen moved, leaving trailing in its wake: "Dearest Virginia:"

Then he tore them all up and leaned back in his chair, whimsically watching Dink's odd figure reflected in the imperfect glass doors above his desk.

"Is she much sick?" he finally asked.

"Dunno. Complained consid'able till past dark."

"How did she complain?"

"Misery in her haid."

"Was she feverish?"

"Dunno."

"Was her face flushed?"

"Dunno."

"Did she want me to bring her anything?"

"Dunno but what she mought. Yer couldn't understand nothin'."

"She wasn't out of her head?" He was alarmed now.

"As to that, I reckon she was — clean out."

"You idiot! Why didn't you tell me this before?"

He made a mental diagnosis of measles—Tom's pickaninny was down with the measles—and resolved to go to her for awhile at least. An explanation of his absence would be assuredly due the Colonel, so he turned again to his desk.

"Have somethin'?" Dink asked, drawing a bottle of moonshine from his coat.

"Nix," he answered shortly, reaching for the pen.

"This durn cork's in too fer," the mountaineer complained. "Got a knife?"

Toby passed it to him, and then wrote hurriedly:

"My dear Colonel Dare: — I must leave at once —" but at this point Dink's hat flew

across the top of the lamp chimney and plunged the room in darkness. At the same moment he clutched Toby's arm.

"Sh!" he whispered, "I heerd someone a-comin'. Mebbe they'd better not see me, I reckon."

A faint murmur of nearing voices reached their ears and Toby crossed quietly to the door.

"But you will stay with us a long time, won't you? I do want you to get well and strong!"

It was Virginia speaking, and his heart beat with pleasure as he stepped out upon the grass and started towards them, intending to tell her of Nell's illness, and trusting the night to save him from recognition by whomever she was with.

"No, my child," a man answered, and Toby stood frozen in his half finished stride. The voice made him numb and giddy — but it was speaking again. "I shall be packing you all off with me until this smallpox scare is over with."

"Smallpox scare! I had not heard of it!" she exclaimed.

"I should not have told you, then, but thought you already knew. One of your ne-

a-goin' to walk right up, an' bow, an' say howdy to the smallpox? What d'you reckon them fellers is? Idjits?"

"Then don't get caught," he answered impatiently.

"Mebbe the Cunnel 'mought give us the things," Dink suggested timidly.

"And have Miss Virginia coming over in the morning to nurse the case, I suppose, which is just what she would do if she found it out! No, you hike for town; get old man Moore out of bed, and tell him the truth. And tell him this, Dink," Toby laid his hand on the mountaineer's shoulder, "to send the Colonel word where I am so he will understand, but not to let Miss Virginia know. Now hurry, and remember that Nell's life may depend on just how soon you can get Doc and the stuff."

"Reckon it's as bad as that?" he asked pitifully, then turned away and Toby hurried on.

An hour's walk took him past fields and pasture lands, and into the rough rising slope of the hills. It was much darker now as he traveled under the trees, but his direction did not waver nor did he slacken his pace. He pushed through chest-high undergrowth, holding his arms above his head, and once fell sprawling over an unseen log. Again he stepped into a

depression that threw him to his knees, but a growing uneasiness for Nell put new strength in his legs, and in less than three hours he entered the clearing in whose center stood the shack.

It stood dark and silent, but as he halted for a moment's breathing space, and wondering if the child were asleep, the woods rang with a wild, horrid laugh, as a maniac might laugh when mocking some distorted fancy of its brain. It did not come from the shack at all, but from behind him, and sent a chill like ice up and down his spine.

He knew it was Nell, and that she had been wandering about in a delirium. After a search he found her lying exhausted in a tangle of rhododendron, and, taking her tenderly in his arms, he carried her to the rude bed and tucked her in.

There was no consciousness in her eyes. The fever was high and to his fingers her forehead felt as though a lot of bird-shot lay just under the skin. He had seen smallpox in the Philippines with initial symptoms like this, and he knew intuitively, rather than by any process of scientific diagnosis, that the filthy monster had passed that way, and there had been no blood sprinkled on the portal.

Then he set about, quietly almost as a woman would have done, to put the room in order. When the patient's eyes were shaded from the lantern's rays, and hot water was singing in the kettle, and fresh logs were heaped upon the fire — November nights are chilly in the hills — he sat by the bed to keep his lonely vigil.

The flame lights played over his clean-cut, tired face and threw his shadow in grotesque shapes upon the wall. An owl in a tree outside, and the cry of a far away wild-cat, were the only sounds besides the intermittent snap of burning hickory.

Once Nell began to murmur, and he leaned near.

"He says God talks that-a-way," she was saying. He understood, and let his fingers close over her frail little hand that had been tossed outside the covers.

Another time she sat up with terror pictured in her face and screamed: "Oh, Pappy, don't!" He soothed her gently back and she dropped again into a fitful rest.

And so the night wore on.

CHAPTER XIII


As Dink reached a rise in the road overlooking Panther, he was again seized with the masterful instinct of caution.

He dismounted and hitched the horse in a thicket far enough from the road to prevent attracting attention should it neigh. Then he hid his rifle under a log, and took another glance around to mark the place well in his mind.

The hour was late as he looked down upon the town, but lights twinkled from four windows, and he conjectured that the smallpox had stopped at two more homes during the day. Then he pushed on.

Doc lived above the drug store, in rooms reached by outside stairs that overhung an alley-way, and toward this he went, making a long detour to avoid passing through the main street.

The hotel was dark. Death had often lurked in Panther, and the town bar had done a thriving business, but it was then a clean, quick death, straight from a rifle in the hands of man. This skulking form now tagging un-



seen at their elbows, did not invite even the most reckless to revelry, and, for the most part, the men had gone early to their families, being homeward drawn and sobered by the uncertainty of where the scourge might next strike.

As Dink neared the stairs, he stopped again, but there was no one stirring. One of those murky nights in the Indian summer it was, when sounds travel with uncanny clearness. Far down the street a horse stamped in its stall, and the thump fell upon his ears as though the stable were not three squares away.

Climbing to Doc's door, trying his weight carefully on each step to avoid a creak or snap, he softly knocked. No answer, and he knocked again, louder this time.

"Must be visitin' the sick uns," he thought, and decided to return after making his purchases.

So he crossed to the store opposite and sneaked well back in an alley-way on that side to think it over, for he must now awaken old man Moore, who lived in another part of town, and knowing that the revenue men had been much with the storekeeper, he doubted how far he might trust him.

The moon was almost high and the mountaineer edged into the narrow strip of shadow that lay along the wall. Happening to be near a window, he thrust his face close to the glass, and was surprised to find no glass there. Whoever locked the store had forgotten this window.

Under other circumstances Dink would have drawn it down and gone his way, but events were pushing him tonight. The dangerous illness of his child, whose recovery depended upon getting "decent things," made him reckless, so justifying the act by the sincere fear that if Moore knew he were in town it would mean his arrest, and aiding his conscience with Toby's assurance that the Colonel would pay for the things, he threw one leg over the sill and entered.

It was more silent there, even, than in the night outside, and he already regretted having come, but turning back was a difficult matter. A cat, glad for company, rubbed against his leg and startled him.

He knew the store well, and now began a hurried collection of things he surmised Toby would require. An old sack furnished a handy carrier, and this was growing fat as he moved nervously here and there, until nothing had

been forgotten. He then tied up the end, lifted it to the window and was about to leave, but thought of the cheese case. Having always had a friendly disposition toward store cheese, he tiptoed back and ran his hand along the counter for the knife. He felt a second time, but it had been mislaid, and he was just opening the hunting knife borrowed earlier in the evening, when someone stepped upon the porch. A moment later a key rasped in the lock and, as the door swung back, he crouched, terrified, within the corner of the counter.

Two men entered and they must have walked half way in before either spoke.

"I'm sorry to trouble you," said a voice that was new to Dink, "but I want to start in a few minutes while the moon is high."

"That's all right, Mr. Dabney. Glad to accommodate you, but thar's an all-fired bad storm comin' up. You'd better wait a day."

"One time is as good as another. You say about ten miles from here?"

"Reckon 'bout ten. Is your pardner goin'?"

"No," laughed the first speaker, "he thought of some urgent business elsewhere when the smallpox began to develop. He wouldn't have helped me much, anyway."

"You're doin' a durn foolish thing," the storekeeper observed. "That feller shoots like 'twas measured off for him. The gal's thar, too, an' she's smarter'n a whip."

"Yes, you told me about there being a child."

"Well, as to that, she is an' she ain't. What you all down in the settlements calls a child is most likely a mother up in this country. The mountings makes 'em old mighty fast. This gal of Dink's must be nigh to fifteen, an' plumb grewed up, an' ort a-been married afore now. She's a sharp un, all right!"

"Then I'll not take him while she is around, if it can be avoided," the officer smiled.

"Well, 'tain't goin' to be avoided, you can make up yoh mind to that, 'cause she's his one lookout an' a dinged good un she is, too. You ain't goin' to do her no harm?" Moore asked quickly.

"Not if she'll come along," the other answered.

"What do you want her for, anyway?"

"Witness mainly, but maybe she's had a hand in making the stuff, herself."

"See here, Mr. Dabney," the storekeeper observed after a brief pause, "I didn't know you was layin' for the gal. It don't seem right to me."

The revenue officer glanced up suspiciously at this tone of concern.

"Oh," he said carelessly, "I'd just as soon let her go, if you feel that way about it. But a moonshiner is a moonshiner, man or woman, in the law's eyes."

"An' a whole lot of times the law's wrong, too," Moore declared, warming up a bit. "It seems like it's wrong to send you fellers up heah arrestin' — or tryin' to arrest — people, when not one of 'em but believes he's got a moral right to make all the liquor he wants."

"Their sense of political economy ought to teach them better than that," Dabney observed.

"Political your grandmother," retorted the other. "Ef you was to mention the name, they'd think you was talkin' Russian. You all don't seem to know that thar ain't moh'n one in fifty of them fellers as kin read or write, an' 'ceptin' our local weekly — which only comes out when the editor is sober enough to set type — we don't hardly see a newspaper even in town heah, let alone back thar in the mountings. No, suh, what you all need to do is to build schoolhouses, an' teach 'em the Government's their friend, an' not the big cheat like they think it is."

"What makes them think it's a cheat?" the officer asked, because this was his first experience in the service and he wanted to learn.

"Why, they can't help thinkin' it, an' I don't blame 'em much, either, seein' how ignorant of letters they is, an' how fur apart they lives. You see, befoh the war thar warn't no tax on whiskey. All the fellers used to make it open an' above board, an' sell it wherever they could. Then the Government called for troops an' the mountings went solid Union — not like down in the bluegrass, or even right heah, whar thar was consider'ble on both sides. No, suh, the mountings stood Union to the man, an' fit as hard as anybody. Then jest as soon as the war was over, Uncle Sam clapped a tax on that very product they'd been sort of relyin' on for a livin', an' when they naturally objects, you all jest slap 'em in jail. They never have knowed the reason for it. All they know is that they answered the call, an' bled an' died for the Union, an' the thanks they got was bein' forbidden, for the first time in history, to make licker without payin' a heavy tax. Hate you? 'Course they hate you, 'cause they never have understood. An' they'll keep on a-hatin' you till Judgment Day, an' makin' licker jest to spite you, ef you don't teach 'em in some gentler way."

"It does seem tough," Dabney laughed, "but that's none of my business. Your cartridges are fresh, you say?"

"Yes, yes," the storekeeper answered, bringing himself back to business. "They came in last summer. Forty-fives you wanted, wasn't it?"

He crossed the room and began fumbling about the dark shelves. "It's got so dark I can't make nothin' out," he finally said, "an' I ain't got a match to save me!"

Dabney felt through his pockets.

"Nor I," he replied.

"I don't keep no matches at the store over night, 'count of mice," Moore apologized, "so reckon I must go on to the house for 'em. Will you wait or walk along?"

"You go ahead," said the officer. "I'll wait here."

Dink had lain behind the rear counter hearing and understanding every word that passed. All the hate and venom that a mountaineer can feel for a Government man throbbed through his veins in fierce pulse-beats, and his fury was more insane because of the officer's admitted intention of arresting Nell. But one idea was dominant in his brain: there stood his twofold, mortal enemy—the man who

would take his life, or drag him and his sick child to the penitentiary.

The officer had walked to the front again and stood looking out upon the silent street. Deep-voiced thunder began a threatening grumble over their heads, and the moon's pale light was yielding before an onslaught of black, angry clouds.

Believing this to be his best chance of escape, Dink rose and started carefully toward the window, but he stumbled into a pile of tin-ware that fell noisily to the floor. The next instant he was again crouched behind the counter, his eyes drawn to slits, as, quick as a flash, Dabney wheeled and drew his revolver.

"That's mighty funny," he said, starting back with slow, cautious steps. About halfway he paused to listen.

It was very quiet and the men were only thirty feet apart. The mind of one was rigidly concentrated upon the other, whose alert brain groped wildly for an impression. He stood a moment longer, and then, impelled by a subtle attraction, walked toward the opening in the counter. Suspiciously, and very slowly, he came until he was but five paces off; then four; then three. Then he stopped again.

Dink, though like a steel spring bent to its

farthest tension, was the cooler of the two who thus faced each other with nerves aquiver, and he noted that Dabney's breathing was distinctly audible. Before now the heavy clouds had entirely obscured the moon and every space about him was shrouded in total darkness. He was aware that the revenue man might believe himself mistaken and return to the door, but the mountaineer had reached a state of hatred where he almost courted attack, the more poorly armed though he was.

Without warning the wind now became mysteriously quiet and not a leaf stirred. Nature seemed to be holding her breath in awful apprehension, as the storm frowned sullenly over the sleeping town, and the atmosphere grew more and more oppressive. With a ripping sound then the heavens opened to a mighty burst of flame.

It was for an instant only, but that instant, revealing details with acutest focus, had shown each man to the other; had photographed upon their retinæ the narrowed eyes, the compressed lips and every determined line in the face opposite.

Dabney fired, the report being drowned in a crash of thunder that sent a shiver through the little store. But his shot was hurried and

high, and Dink replied by springing forward with a savage thrust at the spot where his foe had stood.

No soft flesh yielded to the blade, and, as his arm shot full length into empty air without meeting the expected check to its impetus, he sprawled awkwardly to his hands and knees. Like the report of Dabney's pistol, this fall was also drowned in the mightier noise from above, that rolled on and on toward the mountains, finding new echo places here and there, until it sank to a low growl and finally quieted. A few big drops of rain began to splash upon the roof, but that was all, and again the store became deathly still.

It was evident to Dink that Dabney had sprung away as he fired, but whether to right, to left, or back, he knew was a matter too vital for guess, and so he waited for the next lightning. He was trembling now, not with fear, but in eagerness, and his eyes swept the black pall from side to side with wild, restless motions.

Another flash, this time from farther off, diffused the store with flickering of a milder sort that seemed inclined to linger, and exposed the officer standing six feet away, his weapon raised and his gaze fixed intently upon

the opening in the counter. He was quite unconscious of the fact that Dink had moved, perhaps he thought his shot had gone true, at any rate it was Dink's opportunity and he rushed.

Dabney wheeled with equal quickness, but not before the blade had made a hot, stinging sweep across his side, which, with the impact of Dink's body, caused him to drop the pistol. Instantly he clinched with the mountaineer, caught and held his knife hand well back, and so they stood for a moment, breathing fast and savagely determined.

Some wet, warm stuff began to ooze over Dink's arm that encircled the officer's waist, and a cunning smile of satisfaction crossed his face at this invisible proof of the steel's good work. He gave a low chuckle at the thought that if he could but hold him, the emptying arteries would end the fight without more noise or effort. But there was Moore, who might return at any time!

The chuckle acted as a spur to Dabney, who again began the struggle for possession, but the other's hold was firm. Through the darkness, this way and that they swayed, cursed and fought; Dink trying for a trip, Dabney holding resolutely to the knife hand. Now an

extreme nausea attacked him, yet he fought on, more frantically because of the weakness he felt steadily creeping into his frame.

"You murderer," he panted, big drops of sweat rolling from his cold forehead, "I don't want to die like a dog. Light out, and let's call it square!"

"Yer would a-called it squar ef that-ar bullet had a-hit me, I reckon, wouldn't yer?" Dink answered, making another attempt to trip.

"Well, it didn't hit you, and you've given me a nasty cut. Let's quit," Dabney's voice shook. "I'm willing enough to take my medicine, but there's no use in finishing me up if I won't bother you."

Yet the fight for mastery never faltered, until finally, between breaths, Dink said:

"I know yer game. Think I'm a-goin' to let yer off to send some other fellers arter me an' my leetle gal, yer damned Government spy?"

The epithet, bitter to his tongue, aroused in him a new ferocity, and with a quick movement he threw one leg behind the wounded man, gave a sudden push, and they fell heavily to the floor. The shock stunned the already exhausted officer, and as his fingers relaxed the mountaineer jerked back his arm to place the

southwest, now poured upon the stricken village a deluge of rain and hail.

The mountaineer recognized this to be his chance, so quickly dragging Dabney's body behind the counter, he went to the window, lowered the sack to the ground and followed.

"Don't reckon no bloodhounds livin' kin track me on a night like this here'n," and as he dodged down the alley-way, ankle deep in running water, he chuckled again.

At the thicket he tied the sack behind his saddle, pulled out his rifle and started boldly on. The rain still fell in torrents and the road was awash with muddy water, so he felt that any effort on his part to throw off the dogs would be unnecessary.

By the time he reached Glenwood, the stars were again out and the heavens peaceful. He dropped the saddle and bridle in the stable and swung away on foot, diverging slightly from the true course in order to pass through a beech grove that edged the lower pasture, where he knew for several days some of the Colonel's hogs had been fattening on mast. Here he proceeded more slowly and soon scared up an old sow with half a dozen shoats, which scurried off amidst grunts and squeals, shaking their little corkscrew tails in great agitation.

"Pig, pig, pig!" he called, whereupon they turned and regarded him uncertainly.

With quick aim he sent a bullet neatly between the eyes of a youngster, and finally, having now no knife, succeeded in gouging open its throat with the aid of some nearby cockspur thorns.

"Not as hawg meat won't come in handy," he said to himself, raising the porker to his shoulders, "but jest now it mought be a good idee to have some reason fer this heah blood on my clothes. I kinder wish I'd a-knowed," he added thoughtfully, "that-ar bell was only ringin' fer a fire!"

The sky was grey when he limped into the shack and lowered his burdens to the floor. Toby looked up with an encouraging smile.

"Where's Doc?" he whispered.

Dink had forgotten about Doc. The question took him by surprise, and he answered the first thing that suggested itself.

"Doc's got it, too."

"You don't mean it!"

"Yep. He was took down yesterday. Most everybody's gittin' it. It's jest awful in town!"

"Then we have to fight it out alone, Dink, and God help us. I'm afraid she is a mighty sick little girl."

Dink poured some moonshine from a jug and drank thirstily.

"Put those things in the shed," Toby continued, "and if you'll watch awhile, I want to look for a certain herb an old doctor once told me of. After that we had better have breakfast."

When he returned the mountaineer lay asleep on the floor.

"Poor devil," he said looking down at him. And spreading a blanket over the unconscious figure, he sat about to make the herb tea.

CHAPTER XIV.

The afternoon following the ball Glenwood lay in that indolent state which follows a night of nervous hilarity. A few of the guests were staying over for the fox hunt next morning, and these idled aimlessly about the place. Some walked down the lane and through the woods, searching for late wild flowers, or kicking the withered leaves with childish abandonment, for there had been a few light frosts to cut many of the branches bare.

Gabriel crossed from the house to a group on the lawn, carrying a tray where were crowded bright silver goblets, crowned with fragrant green. They clicked together as he came and seemed to be scolding among themselves: "Don't jostle so! You will muss my mint!"

"You all had better come back," the Colonel called through his hands. "It's julep time!"

The Colonel once remarked that he observed julep time with the regularity of family prayers, to which Bob had drolly replied that were it the other way about, he would be as full of piety as a grown up Quaker meeting.

"A toast!" they cried. "Colonel, a toast! Judge Austin, a toast!" and each of these gentlemen, immensely pleased, declined in honor of the other, till the Judge was led to a rustic seat and assisted upon it. He raised his goblet, looking down at Virginia with a smile of rare tenderness, and they were waiting for his words, when a horse galloped in the driveway, followed by a dozen more. Everyone turned.

"Why, bless me, it's the sheriff"! the Colonel exclaimed. Judge Austin stepped to the ground, and they watched the officer dismount and come forward.

"Good evenin', Colonel!" He included the group in his bow.

"Sheriff, I'm glad to see you, suh," the Colonel replied. "I hope there is nothing amiss, as I should judge from your men and accoutrements?"

"I am sorry, suh, but thar is. Kin I see Toby?"

Toby! A cold hand clutched at Virginia's heart, but she brushed it away as a thing to be ashamed of.

"Why, certainly, Sheriff. But what is your mission with him?"

The sheriff hesitated.

"I think I have a right to ask," persisted the Colonel.

" 'Tain't that, Colonel. I'm real willin' to tell you, but—"

He looked uncertainly at the group.

"You may speak before us all. These are my guests." It flavored of an introduction and the sheriff bowed again.

"Well, Colonel," he answered, "it looks kinder bad. Somebody killed a revenue feller last night."

"I am sorry for that, suh, but gratified that your business with Mr. Toby will be of no annoying consequence to him, since, of course, he had no part in it. Gabriel," he called to the ducky, "ask Mr. Toby to step heah!"

The sheriff was at once besieged for particulars, while Virginia edged to her Uncle's side.

"Had not you and the sheriff better see him alone, Unks?"

"No, child. He may vindicate himself before us all." And the Colonel secretly felt so proud of Toby that he was anxious to see him do it.

"Oh, but Unks," she continued in a hurried whisper, "don't you think it will be horribly embarrassing for him to come before all these people and be accused!"

And still the girl felt no uneasiness for the man to whom she had pinned her faith, but looked on rather amused, or resentful, as he proceeded with his examination.

Judge Austin pushed well to the front, taking Virginia with him, and as their eyes became accustomed to the half light, she noticed that they were standing near the old desk. After watching the sheriff a while longer, she looked about, associating each place with something Toby must have done there, until, turning again toward the desk, she saw a piece of note paper, partly written on.

"I wonder what his writing is like," she thought, "and if he ever wrote me notes to throw them into the fire as I have done!" It was a happy thought and she dwelt upon it.

"Here seems to be some writing," called the Judge, who had been watching Virginia curiously during the last few minutes. He picked up the sheet while the others pressed forward.

"I cannot see in this light, my dear. Your eyes are younger. Read it to us."

Virginia's hands trembled ever so slightly as she held the paper up, but her voice was clear and confident.

" 'My dear Colonel:' " she said. " 'I must leave at once'—" She stopped horrified.

"What else?" they clamored. "Read the rest."

"There is no more," she faltered, but her voice seemed to be coming from a great distance. They were all silent in the presence of this mute accuser.

"An' look-ee-heah!" exclaimed the sheriff, holding up a half emptied bottle of whiskey. "It's plain as day! He's got drunk an' raised —"

"Oh, no! No!" It was the cry of a sorely tried heart. "I— I—". She passed her hand over her cheek, as though feeling to see if it were there. "That is, he did not drink, did he, Unks?" It was magnificent the way she pulled her self together, but Emily and the Judge had seen through her guard. Emily was alarmed, the Judge was disappointed, and she was still struggling for control, her hands icy, her cheeks numb, when the sheriff turned to Bender.

"Did you ever see this heah knife?"

Virginia had seen it often; the last time but a few days before, when Toby had cut autumn leaves to decorate the house.

"Yes," answered Bender. "I seen it a hundred times."

"Whose air it, then?" The sheriff was rising to the occasion.

"It's Mr. Toby's, of course," replied Joe.

"Then I reckon that's all, Colonel," the sheriff said sorrowfully. "This heah knife was stuck to the hilt in the revenue man's side. I pulled it out myself."

No one moved. Virginia looked appealingly toward her uncle, but his eyes were fastened upon the ugly blade. She turned her face painfully to the others but their gaze, too, was glued to the knife.

The room was becoming oppressive and the blood sounded in her ears like a roaring torrent. She conceived the idea that in their own minds they were judging him now, and opened her lips to protest, but no voice came. She moved her fingers and did not even notice they were numb. The ceiling was swaying, and the walls also, rising and falling, back and forth. She wanted to cry; she wanted Emily, who was becoming more and more indistinct at the end of a very long room, and even this was getting blurred and dark, when she felt the pressure of Judge Austin's arm about her waist. Almost instantly the chaos cleared.

There stood the others, their eyes upon the knife, just as she had left them, it seemed ages before. No one looked in her direction, and she believed that none except the Judge himself had noticed her.

"You are a brave little girl," he said in a low tone. "Come, we will go, for there is nothing more." And the others following, talking in subdued voices, they went back to the lawn.

"But, Sheriff," exclaimed the Colonel, "you cannot tell me that boy did this thing! I know, suh, by Gad, suh, he did not, suh!"

"I'm sorry, Colonel," the official replied, "but it looks mighty bad for him. The knife's hisn; he's been drinkin' agin, an' that letter—"

"But suppose someone put those things there to divert suspicion from themselves?"

"That's so," the sheriff admitted. "That's so. But whar's Toby then, and why did he write that letter?"

The Colonel was baffled for a moment.

"That's just it!" he exclaimed, his face brightening. "Why did he write that letter if he did do the murder? And, besides, the note may be a forgery. Has anyone here ever seen his writing?"

No one had except Bob, who remained silent.

"So you see, Sheriff," the old soldier avowed, clinging to each impossible hope with pathetic tenacity, "if the note were forged and the knife stolen, there is no case at all, is there?"

"That's so, Colonel." The sheriff was always honored to agree with the Colonel in no matter what extravagant statement. "That's so! An' I would almost reckon, maybe, I might have been after the wrong feller —."

Perhaps it was the Colonel's over-abundance of feeling transmitted to his guests; at any rate, each was taking so active an interest in this person whom they had never seen, that they received the sheriff's irresolution as a personal victory.

"I was goin' to say, Colonel, that I'd be kinder sorry I came after him —."

"Not at all, not at all, Sheriff. We are glad to have it cleared up so nicely. I will tell Gabriel to serve you, suh," he added, though he knew it was not cleared up, and was only endeavoring to be temporarily rid of the sheriff on his guests' account.

"I was a-goin' to say," persisted the official, "that I'd be sorry I come for him, and wouldn't pay no moh attention to it, ef it wasn't for what they say in town."

"What is that?" They looked at him fixedly.

"It seems, Colonel, that the revenoo feller was a detective runnin' down Toby fer some-thin' he done one time, an' when Toby heerd he was in town, he sneaked in an' fixed 'im.

Leastwise, that's the way the boys has figgered it out,' cause they say somebody seen Toby do it, an' seen 'im run away."

This fell with crushing effect. The Colonel glanced helplessly about, his fingers fumbling his lower lip—a way he sometimes had. But again he remembered the guests and his obligation as host, so answered curtly:

"Very well, Sheriff. Of course, you must find him if that is the case. Call upon me if you require anything. Now, Judge," he smiled, "we insist upon having that interrupted toast."

Only the Judge had noticed Virginia leave the group and walk toward the house. Slowly she ascended the steps and entered the hall. There was no change in her gait, no difference in her manner, as she climbed to the second floor, reached her room and locked the door after her.

Then she crossed and sat before the dresser, placed her elbows upon it, and rested her chin in her hands. For several minutes she looked into the glass.

"You have to face it, Virginia!" she said in an even tone. "He must be as dead to you as the man—he killed. Do you understand?"

It was a hard voice, and withal pathetic. The shadows grew long, and yet she sat

scarcely knowing who it was that looked back into her own eyes. Her heart was in the crucible and her will was turning it over and over, effacing the merest semblance to that sensitive instrument which had once recorded his existence.

Slowly a patch of sunlight stole across the carpet to a painted trellis on the wall, climbed it and disappeared. The chirrup of sparrows, having come to roost in the ivy outside her window, grew lower and sleepier, and finally ceased altogether. It was only when darkness brought old Chloe with the lamps, that she unlocked the door and began her toilet for dinner.

"Ain't dat de turriblest thing, honey, 'bout Mars Toby?" the negress said in an awed voice.

"Do not ever mention his name to me again, Aunt Chloe," Virginia replied, trying with an effort to speak naturally. "It's unpleasant to think that one ever knew such a person." And she hummed a bit of comic opera while two big tears lost their balance and splashed down her cheeks.

"What dat you sayin', Missy Vee?" she asked incredulously. "You don't sho'ly believe he done it!"

"I don't care whether he did it or not," the girl said with affected unconcern, keeping her back toward Chloe and humming louder.

"Pooh young gemman!" the old negress began in a sorrowful voice. "Jest t' think of whar he is t'night widout a frien' in all de worl', an' maybe —"

"Stop!" Virginia turned fiercely, almost screaming at her. "Stop gibbering at me like an old idiot, and go away!"

A slow light of conviction dawned in Chloe's face, but she stood a moment longer, her eyes resting like a fond caress on the girl's shoulders that were tell-tales of an agitated breathing. With a deep sigh she then went toward the door, expecting at each step, however, to be recalled. There she turned and again looked at the girl.

"You'se only talkin' wid yoh mouf, precious lamb, an' not wid yoh heart," she said. "You can't fool ole Chloe, but keep right on a-thinkin' you is, jest de same, 'caze it'll do you good t' git de pizen outen yoh system. After dat, I reckon you'll set back an' fergit all 'bout 'im."

"I won't!" the girl cried, beginning to undo her hair with vicious tugs and throwing the pins savagely on the dresser. "Don't stand there chattering at me like an imbecile!" she

continued in a high staccato voice. "Don't stand there at all! I want to be alone, and want you and everybody else in this wretched, lawless state to go away and never come near me again with your canting and pietism! You pretend to be sorry when at heart you're a lot of vitiated misanthropes who take secret delight in tormenting and hounding—people who—who haven't a single friend anywhere to—" Then passionately turning upon the old negress, who was standing grave and silent like some huge, dusky bird of prey, she cried: "Didn't I tell you to go away!"

In the deep silence of the room, following this outburst, Chloe stood a moment longer; her eyes still lingering on the agitated shoulders whose pure beauty now lay veiled beneath masses of loosened hair.

"All right, honey," she said. "I'se a-gwine." And she did move, but softly over to Virginia, encircling her with two strong, black arms and tenderly drawing her head to the breast which had pillowed many tear-washed eyes.

CHAPTER XV.

Sometime before daylight the house was astir and the aroma of coffee drifted up the big hall. The hunters were assembled in the dining-room and stood before a roaring, crackling fire, for the room was still chilly. Gabriel entered with a light breakfast, but all were too eager for the start to do it credit.

Horses stamped their highbred feet upon the odorous tanbark drive, and stable boys laughed in high glee. Occasionally a young hound, unable to stand inaction another moment, let out a short yelp.

"The day is going to be perfect," declared Bob. "The running will probably be over Hickory Hill, Colonel, and down that bottom. The fences have been opened so you and the Judge can drive all the way, and any others may take these gaps instead of the jumps."

"Where will you make the cast, suh?" the Colonel inquired.

"I thought just over Little Silver Creek on my place. What do you think?"

"Do let us be starting," exclaimed one of the women who had never seen a Kentucky fox hunt.

"To horse, then, fair ladies and gallant knights!" cried the Colonel, pushing back his chair. "And to the fairest goes the brush!"

As they stepped upon the porch the horses turned their heads with every mark of understanding. One whinnied a welcome, while another took a dainty waltz step, keen to be free from the darky's hold.

The hounds tugged at their leashes and, while being lifted into the wagon, each was given a parting admonition by its trainer, Jeff.

"Heah, you, Tanner," he said, affectionately pulling that one's ear. "You gittin' too ole ter lead, son. You jes' lay back an' see dat dese heah young uns don' miss nothin'! Look 'roun' heah, you Powder! Don' you git no rabbit's foot stuck in yo' nose to-day! Hit's ole Mister Fox we all's arter, yo' heah dat?" And so with the others—Judy, Sniff, Baritone, Bugle and Bell—all received their final instructions.

The women sprang from the men's hands to the saddles, and after one more look to the girths, Bob raised the horn to his lips.

Long, clear and mellow it sounded, carrying across the valley and into the distant hills. Then the riders swung into form and in twos cantered out to the pike.

Virginia was on Tempest, much more

docile, to be sure, than when she last rode him, but even now he tossed his head from side to side and fought for rein.

"Don't just fancy that mount for you," said Renny Blair. "He looks vicious."

Renny was from Boston and had known Virginia there. He liked her too.

"A few miles will take it out of him," she replied between breaths, for, as a matter of fact, she was using her full strength on the curb.

"All the same, I wish you would change with me. I can switch saddles in just a minute."

"The air has made him a bit chilly, that's all. Come, we will warm up."

A run of a mile brought them to Bob's gate and restored the temper of Tempest, so that he now took playful nips at the hem of the girl's skirt.

"He's magnificent," exclaimed Renny admiringly, and sizing up the deep chest, tapering barrel and powerful quarters, he laid a wager on beating her in at the death, which bit of strategy pleased him greatly since he knew she would win.

When the others caught up they turned through Bob's place, galloping into a piece of

pasture land that rolled gracefully down to Little Silver creek; and, as they rode, sleek Jerseys, arising hurriedly from beech-sheltered beds, looked after them in sleepy, mild surprise.

From the sky faded the last tint of salmon, and as the sun pushed up and smiled down upon the dew-laden grass, each tiny drop caught and flashed back the spectrum's best offering.

Spider webs, tentatively spun with deadly allurements the day before, were now crystallized into fairy bridal veils, set with baby brilliants; places of wicked suffering yesterday, but to-day holding men and women enraptured by their delicate beauty.

Reaching a fence that divided them from a field of broom grass and sumac, they halted, for here was to be the beginning. Beyond this lay a rougher, uncleared country of open woods and second growth, ravined by rains and rising smartly toward the mountains.

Again the horn sounded soft and mellow; again the youngest of the pack gave an eager yelp, and the hunters gathered in to watch the cast.

Loosed, the old dogs raised their heads and sniffed the air—the youngsters keeping a side-

long eye on every movement. Then Jupiter dropped his nose and was off, with the others trailing. In a half circle he led them for awhile, when the air thrilled with a long, full-throated note, and before the echo had even time to catch and toss it back, Judy, Powder and Bell completed the harmony. Again stillness. The scent was stale.

"Isn't it wonderful?" cried Virginia. "Did you ever hear any music like it?"

"What dog would not sing well on a morning like this, and with you to follow?" But, being used to Renny's ways, she did not answer; or, fighting hard to shut out yesterday, she may not have heard him.

"I always do feel sorry for the fox," she said, "if I let myself think about him at all."

"You needn't," he gallantly replied. "Any fox we start to-day will be immortalized in Foxdom, and for ages to come all the little foxes will listen to the tale of how St. Reynard ran to please the Princess of the Chase."

"I hardly think he will value his martyrdom when the hounds are pulling him to pieces." She gave a little shudder.

"But were he to live and never merit your sympathy, would not that be worse?"

"Is sympathy so much, then?" She turned her serious eyes

"It is the saving grace to us all," he said slowly, "when the pack has run out our last breath and is beginning to tear the flesh."

"That has the flavor of a most delightful romance," she laughed. "You must tell me about it."

"No," he replied, also laughing. "I was just thinking, that is all; thinking of the poor devil the sheriff came for, and into how much like the fox he has suddenly developed. Only the fox has committed no crime—except to inherit his birthright."

"I do not think I shall ride to-day," she said suddenly. "You make my excuses later, after the dogs are off, will you? There is no necessity of attracting attention to it."

"Oh, but I say! You're all right, aren't you?" he asked with concern.

"Yes, of course, except that I got up with a headache, that's all."

"I'll call the wager off, you know, if your pride is in danger of coming a cropper."

"Don't be alarmed," she replied. She was thinking of something, and called to Jeff: "Have you an extra lash in the wagon? Put it on my crop, please!" Then to Renny: "I will ride after all."

From somewhere in the wilderness of brush just ahead came another long, clear note.

"Dat's fresh!" yelled Jeff in delight. "Dat's true fox, for old Tanner done spoke like he mean it! Whoop-ee!" And followed the air rich with a chorus of resonant bays; some deeper than others, some longer and more confident. It was the music of the wild.

"That's warm, Colonel!" Bob cried. "Drive to the second rise; you will see most of it from there because he won't take the open to-day!" Then turning to the others, who had shortened their reins and were waiting: "The take-offs are all good this side of the Knobs. Let's go!"

Like the roll of a muffled drum the hoofs pounded the firm turf as they dashed full tilt at the fence. A shout of encouragement, a squeak of saddle leather, and all were over.

"I say, Virginia," called Renny, riding up, "what are you doing with that lash?"

"That?" she smiled back at him. "I am riding this morning to give the fox that sympathy you so prettily suggested, and if I can keep in near enough it is to whip back the dogs before they run him down."

"By Jove! Now are you really? I'll do it, too, then, if I get in."

"I knew you would, Renny." But the pace they were keeping was too difficult for conversation.

The hounds were some distance ahead and trailing fast. From their voices Bob called them off—Tanner, leading; Jupiter, Baritone, and so on through the pack.

Either the fox was too inexperienced to trust himself alone at this game, or the hounds pressed too eagerly, at any rate the running was not at all as Bob had predicted.

Up the bottomland now they went, one long, bloodwarming, vibrating chorus showing the way, while the horses reached out to gather the distance.

"We can never keep this pace," Renny called to her again. "My mount is blowing already, and the others are half a mile back." She pretended not to hear. A fence was ahead, edged with blackberry bushes, and then open country for two miles, after which would be encountered a scrub woods, and beyond this, the beginning of the rugged knobs.

The pack suddenly changed voice to a faster and higher pitch, and looking out upon the open she saw the red streak skimming the ground. Behind it, and closing in, raced the dogs, for the fox had broken cover and was making a bee-line for his home.

Even from that distance Virginia could see his distress, and the gallant effort he was put-

ting forth. Once he swung his head and looked back, but a sight of the bloodshot eyes, the lolling tongues and froth-covered dewlaps, made him hug the ground a little closer and for a moment the gap lengthened.

The fence was stiff and Renny sized it up with misgivings. He could feel that his horse was perilously near done for, and while his confidence in Virginia's judgment was strong, he feared that she would be asking too much of Tempest.

"Better take the gap!" he called.

"You may if you like," she cried back, and shook the reins over Tempest's neck.

He fairly bounded out, with nostrils distended, ears forward and the whites of his eyes showing wildly.

Here they were at it, and she saw too late that it was higher than she had bargained for. She felt the huge creature gather his iron muscles for the leap and they shot into the air. Up and over he sailed, caught his stride and was away.

"Splendid," she cried, patting his neck, when just then there came a crash, the sound of splitting wood and a thud.

By the time she had reined in, Renny was on his feet and holding the bridle of his trembling mount.

"Came a cropper, that's all!" he called laughingly. "You keep on and I'll catch up."

"Then hurry. You're not hurt?"

"No, indeed. But you'd better hurry yourself if that fox is going to save his brush."

She looked ahead and saw that this was true, for as well as she could make out, there now seemed but a few yards between pursued and pursuers.

Giving Renny another hasty glance, she wheeled and was off, riding like a spirit. Had she been nearer him, or looked more searchingly, she would have seen that he was deadly pale and that his left arm hung useless. But she missed this, and also the effort it took for him to remount and ride toward the village and a surgeon.

Tempest felt the reins shake over his neck again and his response told of a power still in reserve. With head out and quick breaths, he flew on after the chase as though his feet were winged. The girl's cheeks were glowing and her body tingled at the maddening pace, but dangers she had courted from the start with reckless abandonment — indeed it was danger that prompted her to beg for this horse in the first place, and also the satisfaction she experienced from feeling that Toby's wish was no longer important to her.


Now to her relief the fox made the woods; at least she knew he would stand a better chance there. Over the fence and after him hurdled the hounds, and Tempest tossed his head in derision when she warned him of the approaching jump. Again he gathered and sprang. Again he cleared with room to spare, and galloped on up the slope into the trees.

Here the steep climb and thick underbrush made the going extremely bad, and soon she was forced to stop, because the leaves, scattering before his hoofs, quite drowned the voice of the dogs. Sitting very still she listened for some sound, or something to indicate the pack's direction, but there was none.

"He has run to cover," she explained, and added with pathetic wistfulness: "Ah, Tempest, the last time that you and I came through a wood!"

A short yelp farther ahead urged her on, but she soon stopped once more to listen. Stillness. Stillness almost tangible, with not even a rustle among the leaves, and she was mystified.

Now arose the question of getting back, for the chase had led into unfamiliar country, and she was on the point of turning, when a faint odor of burning wood reached her nostrils. Tempest gave a low whinny.



Proceeding slowly, there came almost directly into view a shack in the middle of a small clearing. Smoke curled from its chimney, and near the door stood the entire pack of hounds, while a man from a stooped position was picking up and throwing at them whatever chunks lay within easy reach. Surprised as she was, and somewhat startled as well, it did not escape her that he threw with friendly aim, and that the dogs wagged their tails with appreciation.

She was riding nearer to ask the way back, when he heard the horse and straightened up.

"Toby!" she cried impulsively, almost without knowing it, and added in a low voice: "Oh, I am so sorry."

Delight shone from his face and he was taking an eager step forward when he remembered the smallpox. Checking himself, therefore, he said quickly: "Yes, it is too bad, isn't it? Don't come any nearer to me!"

This partial admission of the awful truth that lay behind his sudden attitude of alarm shocked her. At the same time a great tenderness was creeping into her breast as his influence began to be felt. She realized how strong this was, and how sweet it was, but also that if her renunciation were to stand, this feeling

must be strangled without mercy. So the reply was purposely steeled to cruelty.

"I have not the slightest intention of doing so. The hounds, in fact, are responsible for my coming at all."

His eyes held a perplexed look and he waited a moment before replying.

"They were running one of Nell's pets which lives under the shack. He just got home in time, too." He paused. "I did not think you would ride Tempest again."

She looked down at the ground, and he continued: "You must forgive me for not offering you our hospitality, but, of course, you know why."

"Yes, I know why!" She stifled a sob.

He caught the despair in her voice, and misinterpreting it to be for Nell, hastened to reassure her.

"I really do not think the attack is serious, though it's something I know very little about."

She looked at him now in stupid wonder.

"Attack?" she asked.

He nodded back toward the cabin.

"Nell, you know, and the smallpox."

The reins dropped from her fingers and she clutched the saddle, leaning tensely forward.

"Is — she in — there," she faltered, "ill with smallpox?"

"I thought you knew it," he answered, sorry that he had not been more guarded. "You must not stay — I really do not think it safe."

"Toby," she cried, after a silence during which her eyes had never left his face, "did you —"

But she could not finish the question. While he looked at her like that she could not ask if he had broken his promise and committed murder. She made a quick resolve that to-morrow, when better prepared, she would come back; and then he would deny it, and then she would believe him before all the evidence on earth. So her inquiry took another turn, although her voice was dry and held no interest.

"Do you want anything for Nell?"

"We can get along," he answered slowly, "if you do not take any more risks by coming here to see her."

"I can send something," she said, nervously twisting the lash about her crop.

"Then be sure that your messenger has been vaccinated," he smiled.

There was another pause that lasted almost into minutes. She was sitting perfectly limp,

seeming even without strength to raise her eyes from the ground where they stared in a sightless sort of way. Her face held a drawn, suffering look, as though the blood that seemed to be congealing about her heart was causing physical pain. Slowly again she looked up at him, the question once more framing itself on her lips, but she was powerless to put it into words.

"Is — is there nothing I can do?" she finally managed to say.

He thanked her, and was swept with wonder at the beauty of a nature which could show such eloquent, mute sympathy for the mountain girl whom she hardly knew.

"How do I get back?" she asked after another pause, and he pointed the best course to lead her out.

She gathered up the reins, but let them slip out unheeded through her fingers as Tempest stretched his neck to rub the chafing bit against his leg; and when this had been done to his complete satisfaction, she seemed to have forgotten about going, for again she raised her head and dreamily, searchingly looked into Toby's face. The question once more urged itself to be heard. She believed her other way was better.

"Isn't there anything you can think of that Nell might like?" she slowly asked.

"There is practically nothing she can have just now," he answered, more than ever moved by the sight of her troubled face. "Don't stay any longer, Miss Virginia. I hate to say that to you," he added quickly, "but if the wind should change and blow from the cabin to where you are, you would be in danger."

"I suppose I ought to go," she said quietly, taking a deep breath. "How did you tell me to get back?"

Again he showed her the way, and, giving him another look, she turned to follow it.

There was a change in her, more than sympathy for Nell, which troubled him, though it was something he could not analyze. He did not suspect that her own heart was infinitely heavier than his, or that for just the comfort of hearing him deny the hideous charges which had not yet reached his ears, she would have thrown herself in his arms, risking contagion, risking everything. But she was going, going from him — he could not say for how long, except that it must be until Nell recovered.

"Miss Virginia!" he called.

She reined in and slightly turned her head.

"Please don't ride Tempest again!"

Once more she leaned forward in the saddle as though overcome by fatigue, and without looking up replied in a demure voice: "I won't."

A moan from the cabin sent him hurrying in to relieve the little sufferer, returning, however, to the door before she was really quiet, but Virginia had gotten far down the slope and only the snap of dead brush marked her visit.

She had left with the firm intention of telling her uncle where Toby was, of pledging him to secrecy as long as this accusation remained, and, under pretext of taking some dainties to the sick child, returning the next day to ask the direct question her tongue had just refused. But the farther the cabin was left behind, the more difficult this plan appeared.

In the first place, she felt that her uncle would not be bound to secrecy, because, being pre-eminently a man of straightforward acts, if Toby were innocent, he would insist that the law prove him so without delay. On the other hand, if Toby were not innocent —. No. She realized that not a soul must know of his whereabouts until he told her himself the charge was false.

So deciding upon this and, even in her gloom, gaining comfort by the knowledge that, though the worst were true, she alone shared with him the vital secret of his hiding-place, she took the last jump into the road and cantered home with the pack following close to Tempest's heels.

By late afternoon all the Glenwood guests, except Judge Austin, had been driven stationward, and that night it was a quiet little party which gathered at dinner, for they had put aside the host-masks, and their faces showed distress from the previous day's tragedy.

The Colonel's conversation was almost exclusively confined to the murder, and he spoke of things — till then unknown to her — that had arisen since morning: village talk, reaching proportions which seemed, he said, to admit of no doubt that Toby was guilty.

To all this she listened with a growing sense of fear, knowing that when her uncle lost faith there was indeed reason for it, and finally alarmed them by bursting into tears and fleeing from the table.

When Emily returned, after what seemed a long time, there were tears about her eyes also, but the only excuse she made was that Virginia had been exhausted by the hunt.

This, however, did not satisfy the Colonel, who instructed Gabriel to start a boy on horseback for Doctor Meel.

The Judge was saying as she entered: "I tell you, Rogers, you must leave this place at once — tomorrow, and I want you to come with me."

"Em," asked the Colonel thoughtfully, when the butler had gone to carry his instructions, "how would you like to spend this winter on the Gulf with Judge Austin?"

"I think it would be the best thing imaginable for — for all of us," that wise little maid answered. "Bob, can you go?"

"I will join you before Christmas," he said. "And I think as you do, Em, that it will be a most apposite change for everyone."

"Then we shall prepare without delay," exclaimed the Judge, raising his burgundy. "Miss Emily, I pledge to your most superior judgment!" And there was a flash of understanding as these two smiled at each other rather sadly across the tops of their glasses.

"How soon could you be ready, Miss Emily," the Judge asked again, giving her another look which she understood.

"We can pack tomorrow morning, and leave the house for Bob and Aunt Chloe to close up.

Does that conflict with your masculine ideas about women dallying over a journey?" she smiled.

"Capital," he cried, "capital! Rogers, the mandate has gone forth!"

That night, long after the house was quiet, a light shone from the window of one upstairs room. Within, the old negress sat close by Virginia's bed and crooned softly while she stroked the pretty head that lay buried in the pillow.

"Go t' sleep now, honey," she murmured in a low tone of affectionate coaxing. "Tomorrow you all gwine t' take a trip dat'll make my lamb well."

"But I don't want to go away, Aunt Chloe," Virginia sobbed. "I don't want to go!"

"Dar now, lamb, don't cry dat-a-way. De Doctor done say you must go, an' he knows best."

The Colonel paced the library floor and every few minutes tipped to the room with anxious eyes. It was past midnight when he went the last time, and turned back with a smile and a sigh.

He had found them both asleep.

CHAPTER XVI

Nell's fever passed quickly. The infection was slight, because several years before, when a like epidemic threatened Panther, Doc had gone from house to house vaccinating every child who did not run away or hide. Some of these were dragged, howling, from under beds, or discovered in lonesome attics, or sought beneath the hay. Never were the streets more destitute of children than upon the day Doc made his memorable march.

But Nell, wide-eyed and with trembling chin, had been among the first to walk up to him and bare her arm. He had patted her head and called her a brave little girl, knowing the while with shame that were it not for her voluntary coming, she would have been overlooked. Few ever concerned themselves about Nellie Wallerby.

And so, as every wise or foolish act is creative of its aftermath; as high or ignoble thoughts project their own imperishable echo, her youthful pluck found fruition now in a speedy convalescence with no blemish to mar her cheeks.

Yet it happened that when the cabin was beginning to breathe a hopeful air, Dink was seized with a chill, and a few days later, as he was led to bed in a state of semi-delirium, it became evident that they were facing the real struggle. For days death sat at his pillow and for weeks he fought it stubbornly back, inch by inch, cheered the while by Toby, whose face grew set with determination to win. But for Nell, grown enough strong to nurse for short periods and minister little attentions, he would have died.

Before he began to mend the days had sped to winter, when twilight came with their evening meal and the woods were hushed with snow.

Toby had come to depend on Nell for himself also. In the depth of the breathless forest, where the distant cry of bob-cats, the gobble of wild turkeys or the whistle of a startled buck were all to break the solitude; where the Grim Reaper stalked near their simple abode whose walls heard nought but whispers in deference to the sick, something in him called for companionship, and turning to her he had found an altered being.

For some time, though he had seen with but half conscious eyes, she had been swelling her

cocoon of childhood, which now opened to release its gorgeous transformation. Until this trial she had been as a tightly rolled bud, unfragrant, without promise, but which one day unfolds an outer leaf, and another and another, till behold! a flower of exquisite grace shakes out its curls and laughs up into God's sunshine.

Just such a blossoming was the mountain girl's, except that on the perfume of her young womanhood thrilled a wild ecstatic song. She was happy and knew not why.

All the while with surprising aptitude she had been carefully studying his speech and ways to pragmatize her dream of becoming a "great lady," or at times her mind would dwell within the silent walls of the distant convent.

One morning, with the aid of an old black gown and a sheet, she had surprised him by appearing in a dress so magically wrought to represent the garb of a nun that he had stood transfixed, even as she, when her eyes beheld his face. But there was much of the earth earthy in her color that stole from neck to temple, and with some feeling he exclaimed:

"You must never be a nun!"

"Oh, don't say that," she laughed.

"Yet it is true. Your eyes are too full of mirth."

"I can hide 'em," she replied naively.

"Well, then, your cheeks; they are too rosy."

"They will grow pale through praying for your sins."

"But your lips," he now began to laugh.

"They, and you, are all too pretty for a serious little nun."

"Oh!" she had clasped her hands and cried, "you have never said such a nice thing to me, Mr. — Mr. Toby," and she ran away to cajole Dink into taking an herb tea.

No, he had never before said such a thing to her and it set him a-wondering; wondering how she could have grown so tall without his seeing it, and from where in the long legged child of yesterday could have sprung this half savage beauty of to-day.

It was on Christmas morning that he planned a surprise for her. Some time before, while hunting, he had felled a symmetrical young spruce and hidden it near the cabin. Now as the first grey light of day came filtering through a narrow window of the adjoining shed, it showed the tree gaily dressed with cones and nuts, while grains of white, red and yellow corn were strung from branch to branch in graceful festoons. After breakfast he had led her in, and she had looked at it, and at him,

and again at the tree, her eyes slowly filling with tears.

"This is the first Christmas tree I ever had," she said softly. "I wonder why it should have come now?"

"Because I was here to get it for you," he answered happily.

"Yes, I know," was all she could say.

"Santa Claus doesn't come out our way," Toby continued, "but if he did, its branches would be laden with pretty things for you."

"Don't you think the tree is enough?" she smiled at him. "You did it all yourself, didn't you, and for me?" And added somewhat hastily: "What does it stand for, Toby? You told me once a long time ago about the Christ-child, but why do people have trees?"

"Why do you think they have them?"

"Oh, I don't know. Maybe so we can make other folks happy, I reckon. The woods are just like a great big country of people, anyway; all kinds, big and little, growin' an' crowdin' together. But to-day you've made this little one the prettiest of all to me. If you'd cut another and brought it in, then, of course, it would have been the prettiest and I'd never have known this one at all. Maybe it means that it's in everybody to play Christmas

tree; to be one himself out in the forest of real people, like this is in the woods heah, and remind them of bright and good things. Do you reckon that's it?"

She was a delight to him in these moods, when the soul knew so well but the mind could not express, and he prolonged it.

"But any tree wouldn't do," he said, assuming a thoughtful air. "Suppose it were bent and deformed?"

"Oh, a little feller with knots and twists all over? Why, I'd love one like that just because he'd be so brave to try, if for nothing else."

She looked at him, smiling for his approbation, but his eyes were fixed so steadily upon her, and in such a way that, somewhat hastily, she again asked:

"Is Pappy better this mornin'?"

He did not answer for a moment.

"Much," he said. "He will sit up to-day." And turning, he re-entered the sick room.

Nell watched him until the door closed. Then silently and quickly she crossed to the little tree and kissed it.

Not long after this he felt it safe to tell them both farewell and journey toward Glenwood, and it was then that he realized the keenness of midwinter which had been tempered to

their cabin by protecting hills, for an unusually severe season was visiting Kentucky.

As he reached the more open country every creature and thing seemed to have fled from the pitiless January. Drifted over a ground too cold to bid it stay, flirted a powdery snow, prey to wintry winds that whirled and tossed it in heaps against the fences, leaving in the fields unsightly spots of yellow earth to scar the landscape. The noonday suns could work no thaw, no flake would yield, and in all directions lay a country stark in a friendless frost grip.


Not till late in the afternoon did he come in sight of the big house and swing eagerly on, intent upon reporting to the Colonel, but conscious of little except that he was nearing Virginia. The loneliness of watching for her messenger during those first days, and his bitter disappointment when at last compelled to admit that she would not send, lost much of its pain the moment the old place came into view, for such was the confidence of his youth, and strength, and love that he felt when they met, but one thing could live.

So now he forgot, or forgave, it all and his bounding heart desired but her own forgiveness for something as yet unrealized as the depths of her brown eyes.

He turned into a path they had often trod. Weighted down with frozen snow — ghosts of last summer's blooms — a little branch of some low shrub stretched partly across his way, and he stooped to push it gently back; for, when sap ran warm in the summer past, it had some time brushed her skirt.

Passing around a cluster of evergreens he raised his eyes expectantly. The front door was boarded up and his astonished glance swept the upper stories to be met by tightly shuttered windows. The porch, knee deep with mounds of snow that coquetting winds had fashioned into odd shapes, appeared dejectedly forgotten. Hope, and the pleasures of anticipation, which had kept from his body the nip of chilling air, died. With hands deep in his pockets and shoulders hunched forward, he stood dismayed.

From the cedars behind him came a low sigh, swelling at last to a suffering hiss as a more merciless gust swept them through, and a piece of loose tin high up on the gutter spout rattled lonesomely. These and no other sounds broke upon the wintry evening; not even the bedtime chirrup of birds, for birds had early sought the hedges or begged a spot of the evergreen's scant comfort.



Drawn by its dazzle, he turned and watched the sun dip to a lurid sky; watched it absently; watched afar off, in silhouette against the fiery disk, a gaunt tree holding up gnarled arms as though imploring the merest crumb of warmth against the oncoming darkness, and the whimsical fancy possessed him that it would look not half so cold by putting its hands into its pockets, as he had done. So minutes passed till the last red segment slipped below the hills, leaving a roseate afterglow to touch and warm the snow's highlights into an alabaster-like flesh all but pulsed with blood. An instant later, while the twilight silence poised in the very act of keeping quiet, this faded, gray as death, and night settled over the earth.

A stable door slammed and a darky, the only moving thing abroad, hastened across the open toward one of the cabins. He, too, was hunched and drawn into himself, and the crunch of his heavy boots on the frozen snow came clear and distinct. Kicking his toes against the steps he hurriedly entered.

On the floor before the fire, raking sweet potatoes from the ashes with a stick, sat a child. The man looked at it fondly.

"Lawd, honey," he said, "it's gwine ter be cold dis heah night. Dey done tole me all 'bout it."

"Who done tole you, Pappy?" The voice was tired.

"Who? Why Tempes'. He says: 'Heah you, Tom, ef you don't give me a li'l moh oats an' some extry hay, I'se gwine t' freeze t'night, sho'. Den what Missy Vee gwine t' say?'"

"Did you give 'em to him, Pappy?"

"Dat I did, chile! Yo' Pappy done give 'em to 'im." He rubbed his hands briskly over the fire.

"What did the other hosses say, Pappy?" This was an every evening program between the two.

"Dem? Why dey say like dat was 'zactly what dey was a-gwine t' say when Tempes' done took it out dey ve'y mouths."

"Didn't de cows say nothin', Pappy?"

"De cows? 'Deed dey did, son, an' one ole heifer jest held her sides an' laffed till —"

"You quit trackin' fool nonsense in an' out dat chile's haid, you heah me? He won't sleep none dis blessed night!" It was a woman's voice, high and querulous, that came from the next, the only other, room in the cabin.

"Did you heah de big po'ch crack, Pappy?" the child asked after a respectful pause.

"Did the big po'ch crack, son?" the man quickly exclaimed. "You'd orter tole me dat befo'."

"What did he say?" The woman appeared in the doorway now, her hands covered with dough.

"He said de big po'ch done crack agin!" They looked at each other and her glance went furtively toward the outer door.

"What do it mean, Pappy?" The child was feeling fear.

"It don't mean no good, honey. It mean dat de ghostes is hantin' 'round, dat's what it mean."

"D'you reckon it gwine t' come in heah, Pappy?"

"Dar ain't no tellin', honey. Dat's de spirit of de revenoo man what Mister Toby done kill."

"Most likely it means dat Missy Vee's heart am a-breakin' on 'count of it." The woman's voice had lost its sharpness; her eyes were looking beyond the flames.

"He done come 'round right peart lately," continued the man, ignoring her suggestion. "He lives inside one of dem big white pillars." The child shivered.

"Pappy, de fire's cold." The large eyes had grown wide with wonder but the man neither saw nor heard.

"One evenin'," he said in a low voice, "jest

'foh Christmas, I was a-comin' up de lane an' no sooner got t' de grave-yard when some-un say: 'Wait dar, Tom!' I turn 'round an' shoh 'nuff dar was de ghostes leanin' up 'ginst a tree a-pickin' his teef. But I warn't fear'd, an' answered right up an' say: 'What you go stoppin' dis heah nigger for?' I ses. An' he chuckles, an' kinder edge up, an' say: 'Tom, does you want t' see how I drive mah bargains?' he ses. An' I ses I do, so him an' me lit out for de swamp."

"Him an' you, Pappy?"

"Yes, honey, him an' yoh Pappy. An' jest as we git down good in de wet groun', I heah a groan."

"How did it groan, Pappy?"

The man groaned and the child rolled a look toward the shadowy corners. He tried to smile as his eyes returned to the negress who stood leaning slightly forward, her face tense with interest and belief in what her husband was saying. Warnings of sleepless nights were forgotten. Tom continued:

"Dis heah ghostes he laugh agin an' say: 'Come on', an' purty soon we was away down in de swamp whar it so black yo' can't moh'n see de ground. Den he snap his fingers —"

"How did he snap 'em, Pappy?"

"Dat a-way! An' what yo' reckon? It all git lit up, an' dar was Mister Toby laid out on de ground, an' nine witches a-sharpenin' his legs down to a fine pint wid de ve'ry same knife what he done de murder wid. An' he groan an' holler, an' holler an' groan, but dey kep' right on a-whittlin' till he look jest like a great big peg. Den de revenoo spirit make 'em hold him up endways while he done taken a maul an' come down kerwhack! right on de top of his haid."

"How did he come down, Pappy?"

"Kerwhack!" Tom repeatedly solemnly. "An' ev'y night, maybe onct, maybe twict, or maybe foh times, he go dar an' take a drive on Mars Toby's haid. De last' time I seen 'im he was drove most down t' his ahms, an' ev'y time he git a whack, de big po'ch gwine t' crack, too."

Oddly enough, the man whose imagination had concocted the tale on the moment, for the moment believed it, even as the others were doing. Coincidentally, also, another crack from the freezing porch sounded sharply through the night. The child started, and the woman, trembling, moved nearer to her husband. Laying her hand on his arm, she said in a voice too inaudible to be heard except by himself alone:

"Somethin' jest now blowed it's bref on de back of mah neck!"

His own breath caught with a startled hiss and he looked at her suspiciously.

"Did he hit 'im den, Pappy?" the little boy whispered.

"'Deed he did, honey," the man whispered in reply, now sharing the full measure of fear with his trembling wife. "It was a whopper dat time, sho'!"

The fire had gradually sunk to glowing embers, and the lamplight seemed making feeble efforts to penetrate its smoky chimney. Overhead the wind moaned dismally and drove a faint fragrance of burning logs into the room. Then the cabin door opened and Toby stepped in.

"Oh, Lawd, rescue dis nigger!" the woman shrieked, while the man sprang from his chair and retreated across the room. The child made a frantic clutch at his legs, but the fingers slipped and he threw himself face down upon the floor.

Toby stepped over the prostrate figure to the fire and the bedlam ceased as suddenly as it began. He wanted to ask how long the family would be away, and when they had left, but shrank from knowing the truth which, he

felt sure, would indicate a long absence. Instead, he put another question.

"Good evening to you all! Is Mr. Bender here?"

He had seemed, true enough, to be in the flesh but speech was required to instill into these superstitious people a dawning confidence, and even now uncertainty lurked in the voice that answered.

"No, sah. He done gone t' Lexin'ton."

"Are Jeff and Aunt Chloe about?"

"Yassah, dey heah!"

"Build a fire in my cabin, Tom, and fill the box with wood. Then tell Aunt Chloe I'm mighty hungry, will you, please?"

"D' fyah's done ready, sah, an' I'se gwine t' tell dem ole niggers dis heah minit!" And a moment later when the snow was squeaking an irritable protest at Tom's running boots, Toby walked toward the little house, rich and sweet with memories.

The fire, as the negro had said, was ready for the lighting. The two rooms were in order, though nothing had been removed, and the bed was freshly sheeted. It did not occur to him that Aunt Chloe had been charged to keep it so.

The goodly number of robust logs piled

high in the ample fireplace rested on hand-forged dogs, the work of a plantation smith of bygone days, and as he knelt to touch the match, he noticed a partially burned piece of note paper half buried in the cold ashes. Fishing it out with his free hand, while the flame caught a slender splinter of pine and crept slowly upon a tangle of small wood tucked well back under the logs, he shook it.

"There are the ashes of yesterday," he mused. "Here, the flames of today. And tomorrow?"

The little flame advanced bravely. Sometimes it burned low, panted, and almost gave up. Then it would take heart and proceed a bit farther. At last it reached the other splinters and hesitated, wondering, almost despairing at the vastness of its undertaking. He watched it dim and flicker feebly.

"Poor little devil," he said, smiling at the conceit, "you're like many another who started out to set the world afire and couldn't even light a good-sized pipe."

But with the ease of a deep-drawn breath this mite now slipped into the cracks and crevices of the unresisting kindling. There followed a timid snap and a tiny red spark sprang away in fright.

"Good!" he nodded at the quivering little blaze. "I believe you are going to make good. After all," he arose and settled into a chair, "I suppose that is the result of sticking to a thing."

The increasing purr now issuing from the fireplace was a signal for another snap; three at a time, then a score, sending hundreds of sparks wriggling up the chimney in terrified haste. One described a graceful curve to the rag carpet at his feet, and he lazily reached out to smother it with his boot. A tongue of flame, with avidity born of destruction, shot up for a trembling bit of lichen that still held to one of the logs, and consumed it in pyrotechnic splendor. The purr grew to a roar, which the sizzling logs answered with vicious hisses. The battle of the flames was on, and Toby lolled content in the welcome heat of it.

Idly he sat, his hands hanging listless across the arms of his chair, and the crumpled paper scarce held by inert fingers. With half-conscious thought it had been relegated to the limbo of his own attempts, when on the night of the ball he had tried to write to Virginia. Now he smoothed out the creases, brushing away a considerable part of the scorched page, and leaned over it. It was not his writing, but the delicate hand of a woman beyond doubt.

"I had believed in you to the very last." He read the first two lines slowly in the dancing light. Here the words were burned away, and in another place: "always in spite of everybody." Still farther down, but white and without a scorch, as though the flames, sympathizing with the writer's grief, had tempered their ferocity at this place, were these last words: "breaking my heart." Below was all destruction.

Toby had never seen Virginia's writing but the idea hammered for possession that this was hers. Completely mystified, he stooped to gather more from the charred pieces on the floor, only to find they had crumbled beyond patching.

Now, however, entered Chloe, followed by Jeff bearing a bountiful tray, and he found himself smiling into her honest face which fairly radiated through tears of welcome.

An hour later, after he had briefly sketched the cause of his absence, he heard the other story. And while the old darkies stood beside his hearth-stone and one or the other, or both, recounted each detail with eager zeal, a panorama unfolded so swiftly that out from the simpleness of his life their tale lifted and hurled him on cycle after cycle of surprised


travel. He felt as though he were the apple at the string's end, and being whirled, and whirled, and whirled. The perplexities of yesterday drew into focus with exact precision; all, everything, for the tellers were not of the sort to omit a single detail.

Once he asked if Virginia had come to the cabin after the sheriff's visit, but they did not know. And then they told him that Emily and Bob had been married soon after they went away and were now in Europe, and that Virginia was going to marry "a rich gemman from de Norf." The Colonel had mentioned it in a letter to Joe Bender. He made them tell this again.

"Good-night," he said without looking up.

For a moment Chloe watched his face and her voice crooned mellow when she said:

"Go 'long t' bed now, honey. I done knowed all de time you ain't done it, an' I tol' Missy Vee dat too." Then with a pathetic attempt at gayety: "Jeff done butchered yisterday, an' tomorrow I'se gwine give you calf brains, fried sweet 'taters an' cohn cakes for yoh breakfast. An' I jest know you ain't taste no sich biscuits an' coffee like yoh Aunt Chloe make since you been up dar in dem wicked hills a-killin' yo'self wid nussin' poh white trash."



"Thank you, Aunt Chloe." His eyes left the fire and looked at her affectionately. "Jeff," he said, "I want you to drive me to town tomorrow. We must start early."

"Town! What for?" The old woman's question was instant and acrid.

"I'm going to give myself up, Aunt Chloe."

Torrents of protest, pleadings, scoldings, dire prophecies of jail and hanging, all fell on preoccupied senses.

Seeing that she was making no headway against his decision, but resolved to deter him from so perilous a step, she snatched from the tray his empty coffee cup. Age vanished from her frame and in its stead entered a new force which transformed her to a thing of action.

Moving quickly to the fire she now bent over the cup and studied its interior; slowly turning it this way and that, searching its depths for some sign or warning, and as she looked there issued from her lips a low, weird chant. It was mellow at first, like the drone of bees when no air stirs, but, with hardly perceptible swells, it increased until its volume filled the room, while her body swayed to and fro in rhythmic motion.

Jeff was leaning forward, his eyes fastened upon her, fascinated.

With dramatic suddenness her chant terminated in a shrill cry: "Dar! Look dar! Dar it is, ever' bit!"

Her eyes were flashing at Toby and she stood tensely erect with one black finger pointing to the coffee dregs.

"Heah's de sheriff! An' heah's you! An', oh, Lawd have mussy," her voice rose to a wail, "heah's blood, blood 'tween you an' him! Don't go, Marse Toby! Don't go, chile! Chloe done see it all! Stay heah, an' let her keep you outen harm's way!"

"You dear old soul," he murmured under his breath, and aloud: "No, Aunt Chloe, I must go."

But her protests continued. Jeff caught the excitement from her and joined his voice, till at last Toby was compelled to push them both very gently into the night.

On the mantel stood the half emptied quart of moonshine. He regarded it steadily for several minutes, and then turned with unnecessary haste to kick over a log that needed no fixing.

But a subtle attraction persisted in drawing his eyes back — a sort of living magnetism, as though in the bottle were genii pressing their faces against the sides and full of merry ges-

tures to get his attention — until he again looked up and let his gaze rest on the colorless liquor.

Another minute passed in this way, till slowly he put his hand up and stroked the smooth glass. A sort of caress, the touch was; lingering and sweet, as though through the ends of his fingers this contact transmitted to his brain the memory of an old tune, or a perfume nearly wasted. Then he spoke in a voice that was low and earnest:

“So you are still calling me — and I had hoped your voice was dead! I had hoped — yes, and prayed, and even believed, that you had come to be a thing well past; but here you are again with all your same sly ways. You choose an apposite time to make your plea — but that you always do! You know tonight that I am physically exhausted, mentally off my guard, and bitterly conscious that no where in the outside world lives a human being to care whether I go back to you or not. At this instant your psychology is perfect, and I cannot help admiring it.

“Few times has your song been quite so sweet. The golden harp of Orpheus never enchanted man, or tree, or rock, nor did the Sirens rend the brave Ulysses at his mast with

such allurements as you use to coax me now. You want me? I believe you — but I cannot go. I cannot go because another harmony, that does not only linger in the ears but reaches to the soul, has made me master of myself and you; and has shown your gold appearing harp to be an artfully constructed frame of human bones, inlaid with broken promises and strung with the heartstrings of sobbing thousands. What wonder your music is passionate!”

He stood looking at it a moment longer, as though indulging the fancy that it were speaking, for he smiled and pushed it farther away.

“No,” he said, “I cannot teach you this new song! ’Twould be easier to teach the toads to step a graceful minuet, or the loons to hum a lullaby. But go and find someone for whose own sake you would spill your last drop into the earth — then you will have learned the song!”

At sun-up when Jeff entered on tiptoe to replenish the fire and poked his woolly head into the adjoining room, he saw that Toby lay in a heavy slumber. Had he looked around more carefully he would have seen the bottle still untouched, and on the desk a bulging envelope addressed to “Miss Virginia Dare.”

CHAPTER XVII

A warm, sultry afternoon was pressing the June foliage heavily earthward and a languid landscape stretched as far as the hazy Cumberlands. Panther alone seemed awakened to the act of living, for Circuit Court was beginning another term. Again the dignified Judge doled justice from the red brick cube around which the town lay scattered. Again the streets were filled with mountain people, whose shuffle of feet along the sidewalks gave rise to feelings of insidious unrest, foreign to the usual atmosphere of Panther; alien, indeed, as was majestic law itself to the visible small arms protruding from many hip pockets.

Every available space at the rack that encircled the Court House square was filled by horses and mules of varied ages, colors and degrees. Some were unharnessed and tied, to crunch their rations over the tail-board of the wagons they had hauled; some ate off the ground; others stood with drooped heads and half-closed eyes, and all lazily switched their tails at flies.

Within the open door of the store an old

hound dozed fitfully. For an approaching step or familiar voice, he would sometimes cock an ear, or blink up sleepily with one eye. Once, giving a low whine, he roused enough to scratch, but the effort was half-hearted and his leg beat only a feeble tattoo upon the floor, so, sighing heavily, he sank again to full length, preferring the itch to the antidote. Old Horace observed him narrowly, shifted his quid to the other jaw and spat with an air of decision.

"That's the beatin'est ole hound fer fleas!" he wheezed, and no one ventured a contradiction.

On the pavement in the shade of two giant locusts, canopies for many generations of Panther's leading citizens, congregated the usual habitues, while visitors fringed the group, for the most part in respectful silence, content to lave in whatever wisdom the village sages chose to let flow. A tall mountaineer, attired in "store clothes," and holding the hand of a pretty girl in a short-waisted frock, paused to listen. Both were perspiring and uncomfortable. The storekeeper was saying:

"Yes, the Colonel and his folks are comin' back tonight. Mister Clark told somebody to-day that he and Miss Emily had the house

all ready. And who d'you reckon's comin' with 'em?"

Several expressed an interest by spitting into the street.

"That young Blair feller from up North what th'owed his shoulder out of jint at the hunt last fall. I wouldn't be a bit surprised if him and Miss Virginia would up an' git married."

At mention of the magic knot the young man looked down shyly at his companion and from under her old-fashioned bonnet she looked shyly up. His boyish face flushed as rosy as her own, and they passed on, holding at bit more firmly to each other's fingers.

"When's that air Toby feller's trial a-comin' off?" drawled a homespun-clad mountaineer.

"Mornin', I reckon."

The group shifted its look toward the Court House that seemed all at once to have taken on fresh interest. During the diversion the sheriff's head appeared at one of the windows and he called in a loud voice the name of a wanted witness.

"Who'd he say?" someone asked.

"Piney Bowles, warn't it? I hain't seen Piney t'day. Well, danged if thar he hain't right now!"

Their glances left the sheriff and traveled toward Piney, who was just issuing from the tavern bar. No word was spoken while he crossed the dusty square, and from their absorption in his movements a stranger would have thought it a momentous occasion. Finally:

"What case air he a-witnessin' in?"

But no one knew and after another silence the mountaineer again ventured upon the subject that had evidently been occupying his mind for some time.

"I hearn tell as how the sheriff's took a shine to this heah Toby."

"'Tain't so strange, neither," replied the storekeeper. "Toby acted right squar' all along."

"I hearn tell," persisted the questioner, "as how he never locked him up. He hain't a-treatin' any of we-uns that a-way."

"Suppose he hain't, Dave. What of it? The day Toby came in heah an' give himself up was durin' that cold spell, an' no man couldn't be asked to sleep in the jail then? So Bill took him in his own house, an' when the little gal ketched her dress afire, ef 't hadn't been for Toby, she'd a-burned up. But that warn't the reason Bill told him to come an' go as he liked.

He jest believed in him, that's all, an' knowed he warn't the kind to run away even if he was a-goin' to hang."

"He's locked up now, hain't he?"

"He is now, but he done it himself. The other day he was standin' jest whar you are, an' he says to Bill: 'Bill, I reckon you'd better lock me up to-day.' An' Bill looks up an' says: 'What for?' An' Toby says, kinder laughing: 'Well, the Judge an' prosecutin' attorney 'll be down heah tomorrow an' maybe they'll think it queer for a feller to be runnin' loose with murder against him.' 'Then let 'em keep on a-thinkin,' growls Bill, 'I'm sheriff,' he says. But Toby says that it won't look right and besides, he says, the jail's a lot cooler now than anywhar else, so Bill put him in jest to please him."

The storekeeper did not know that when Bill, who was jailer as well as sheriff, showed Toby to his cell he handed him a key, saying: "Jest drop that in yoh pocket. Some time, maybe, after dark you mought want to stretch yoh legs." For which the young man was truly grateful, and indeed he spent each night under the stars, walking over familiar lanes, returning always before daylight and locking himself in.

So, instead of fortifying for the approaching fight, wherein the state of Kentucky was about to clamor for his life, Toby was dreaming over Chloe's story of Virginia's engagement.

He had seen Bob but once, an accidental meeting on the road, and while the young planter had expressed his regret over the seriousness of the other's position and had offered whatever assistance that lay in his power, there was so much embarrassment between them that Toby had refused the proffered help with an unfortunate lack of grace which terminated their interview and prohibited its repetition. For Toby thought Bob and the Dares believed him guilty, and it hurt. So the legal issue, its result, his future, had ceased to be of active interest and the vagrant became morbidly unconcerned.

"Reckon they'll hang 'im?" the mountaineer continued.

"Don't see as how they can do anything else, with the evidence agin 'im."

"Bill won't have no easy job, a-likin' the feller as he does." The men pondered over this. It presented a new phase of the case.

The afternoon waned, its lazy quiet broken now and again by the sheriff's call for a witness. Toward evening two mountaineers of

opposite factions in a half-forgotten feud, becoming inflamed by frequent potations, went at each other's throat. Friends dragged them apart and one was being persuaded to return to his home.

"Ef you fellers go to shootin' 'round heah while Cou't's in session," someone warned, "danged ef I don't believe the sheriff'll lock up whichever of yer 's left."

"An' that's mighty apt to be me," replied one, who earlier in the day, had been walking hand in hand with the pretty mountain girl.

"Thar hain't no better time to find out nor right now!" snapped the other.

Lightning hands flew to their hips, their friends sprang away, and two shots sounded almost as one. Even before the smoke lifted, the younger man drew in his breath with a sharp hiss and sank slowly down, but his eyes flashed hatred at the enemy before him, who, with a look of triumph, crossed to his horse, mounted and dashed out of town.

A few minutes later two other horsemen, cousins of the wounded boy, rode swiftly by the same road. Men on the street looked after them in silence. An eye for an eye is an old law.

CHAPTER XVIII.

With the morning of the trial dawned a calm that caressed the earth to ineffable peace. Its pink and salmon tints awoke the forest and stirred from their innocent sleep a multitude of joyous songsters eager to greet the sun. The little people of the air were bestirring themselves for another day that could bring no meanness to their kingdom, where love is law.

Unfriendly, indeed, clanged the court-house bell, proclaiming across the valley that the people of a great Commonwealth were prepared to try a wretched vagabond for his life. Shocked by its tragic message the singers hushed their carol, but in the village men locked their doors to keep out rogues and joined the morbid procession courtward, where the spacious, high-ceilinged room was already filling.

Toby sat silent and alone. The Judge was whispering with the prosecuting attorney.

"It is customary," he said, bending his piercing eyes upon the prisoner, "for the Court to assign counsel to defend an accused who is unable to provide for one."

There was impatience in his voice. Before now he had seen these mountaineers delay proceedings by just such stupidity in the ways of law, and the Judge was hurried to clear the docket.

"The Court notices, also, that your full name does not appear in the indictment. What is your name?" His question was sternly spoken and a flush of resentment spread over the young man's cheeks.

"Toby," he answered simply. No titters now broke the silence as when this same reply was made nearly a year before.

"Toby what?" demanded the Judge, and the prosecuting attorney smiled at such evidence of sympathy for his side — or a lack of it for the other.

"Last year when sold into bondage," came the quiet reply, "I was put up and bid in under the name of Toby. I am still in bondage. Can it be that I have any other name?"

Some in the crowd nudged each other at what they took to be first blood for the defence, and the prosecutor was quick to perceive that sympathy from the bench alone was all he might likely count on. The Judge cleared his throat and returned to the other subject.

"You have no counsel?" he asked.

"If it please your Honor, I will defend myself."

This annoyed the Judge, but after a moment of reflection he said: "I am not clear as to whether a bond servant is entitled to this right. During your term of servitude you forfeit citizenship, is it not so?"

Just why he appealed to the prisoner in this way he could not have told. He may have been unaware that he did so.

"It is a case without precedent which I am fortunate in having your Honor to decide," Toby answered dryly. "The bondsman bought my body, but it is not that with which I would defend my life."

The Judge turned his chair and for the first time gave the prisoner a look of intelligent scrutiny.

"I shall accept your argument," he said, "but, nevertheless, appoint counsel in case you should be in need."

Toby bowed an acknowledgment to this, and later when a rusty-frockcoated old gentleman from a neighboring town took a seat by his side and cleared his throat, he bowed again. Other than this he might have been breaking colts at Glenwood, so far as the proceedings were concerned.

His co-adviser leaned near and plunged into an earnest whispered conversation, for some minutes continuing to nod his head and jab one fist into the other. He pronounced his words vigorously and may have thought they were being well received, but as a matter of fact Toby was watching a green bottle-fly beat with savage persistence against a window-pane, and he was pondering over the loss of so much energy when the opening and freedom lay but a few inches below. So, after the indictment was read and the prisoner told to plead, the misguided attorney arose and spoke suavely:

"If it please the Cou't, my client has determined upon a simple and hono'able cou'se that will not only save yoh Honoh's valuable time, but will appeal also to these gentlemen, suh, who have been so fortunately and so wisely chosen as jurohs. My client, therefoh, gentlemen, throws himself abjectly upon yoh mercy and pleads 'Guilty.' "

A stir shivered the room, and the sheriff particularly looked aghast. Instantly Toby sprang to his feet.

"I do nothing of the sort," he cried, and with flashing eyes he turned to the astonished counselor: "Why did you enter such a plea?"

"I told you," he stammered, "my reasons for thinking it best and thought you coincided."

"Then I beg your pardon, sir," Toby replied. To the bench he said: "Your Honor, I had really been paying no attention and did not hear what the gentleman was saying to me. I cannot plead guilty to this crime, and pray that you will allow me to answer 'Not Guilty.' "

"This seems to be rather a unique occasion for apathy," commented the Judge, "but your answer may stand."

The prosecutor then faced the jurors to recite the crime. With vapid emphasis he told how craftily "this snake in the grass, this blot upon the escutcheon of our fair Commonwealth, did to death in cold blood, in the dark, gentlemen, a harmless man who had visited this village, begged its hospitality and had been taken in." Indeed, were he to prove but half the things he promised, a defense would be only a matter of form.

The storekeeper was the first witness called. He told a simple tale of the night in his store, of leaving the stranger, of hurrying to the fire, and returning later to find him absent. But supposing that he had also gone to the burning church, he stepped toward the shelves to fill

an order, (being careful in omitting to state what the order was) and there found him murdered.

Once the prisoner's counsel arose to object to a question, but Toby beckoned him back, saying: "We can accomplish nothing by making objections to that, and might just as well let them go ahead," whereat the old barrister resumed his seat in a great state of perplexity.

The storekeeper then identified the knife as that found sticking in the dead man's side, and also one he had sold to Toby.

"You may take the witness," the prosecutor said.

"Mr. Moore," the old lawyer rose nervously, and everyone leaned forward, "I merely want to ask if you sold the prisoner this particulah knife, or one just like it, suh?"

"Well," the storekeeper answered, "it was this one or one like it. He bought one of that kind."

"That will do, thank you," and the old man returned to Toby's side.

"Now, look here," thundered the State's attorney with such violence that the storekeeper, having half arisen, plumped back into the chair. "Didn't you say last night that you remembered this was the very knife you sold the prisoner?"

"I did not," he answered angrily. "I couldn't have said it, 'cause I sell 'em most every few days!" He was then excused.

The prosecutor had tried to refresh all his witnesses on this point but invariably failed. The sheriff alone knew that Joe Bender could identify it, and he had hewn to his duty in so far as driving out to summon Joe—after having previously seen that he got an inkling of the visit in time to slip away.

But in spite of this and other obstacles that the prosecuting attorney intuitively felt were being thrown in the path of justice, he continued to build up a case, which, though circumstantial, was becoming more and more convincing, and before the noon hour even those unversed in law realized that Toby was a doomed man.

Recess came and the sheriff took his prisoner toward the jail. They walked in silence for several minutes, then he blurted out:

"Why in hell don't you git up an' say somethin'?"

"What is the use?" the young man answered.

"Make it some use! Can't you prove a alibi?"

"You forget that the only two persons who

knew where I was have not been seen for six months."

"Well, do somethin', foh God's sake, Toby! Air you goin' to make me hang you?"

"Bill," he answered sorrowfully, "there is no defense in the world can break that evidence. I haven't a thing to stand on."

And though he half promised to conduct the case himself, the afternoon session labored along in the same way till shadows began to creep across the floor.

Throughout it all he had given but few suggestions. He sat with his chair tilted back against one of the window-sills and only occasionally did his eyes follow the trial. Once a feeble breeze caught the curtain cord that hung idly behind his back and blew it across his face where it lingered a moment and then settled over his shoulder. Someone had whispered that it was a sign of the hangman's rope. Others saw it also, and whispered.

The prosecutor finally turned with an air of one about to spring a surprise, and said: "Call Ralph Patterson!"

Patterson advanced with a braggadocio swing, making a sickly attempt to smile from side to side as he met familiar faces, but, excepting those of his father and the unconse-

quential ones of old Horace, not a kindly eye followed him. It was a moment after taking the stand before he got control of his voice and the inquisitor regarded him with a feeling of apprehension. He had saved this witness until last because of the dramatic effect his testimony would produce, and he began to see this all spoiled by Patterson's predisposition to a "white liver"—as he mentally categorized it.

But with some coaching the witness succeeded in telling the jury how he had returned home late that night and met Dink Wallerby at the edge of town (Dink, he knew, having long since disappeared and being well out of the way); how they had walked together down the main street and stopped opposite Moore's store, and how, as they drew nearer, Moore came out and went away, leaving the door open, while a skulking figure slipped from the shadows across the street and entered it. Out of curiosity, the witness and Dink followed, when they saw him sneak up behind a man who had stepped to one of the counters and raise his arm as if to strike. They gave a warning cry but it came too late, for as the victim turned, a knife was plunged several times into his body. The murderer then fled,

and the witness and Dink, too horrified to follow, hastened to their own homes.

"Did you recognize the murderer?" was asked with great deliberation.

"I did."

"Speak louder, please."

"I did."

"If he is in this room, point him out!"

Patterson's glance traveled toward Toby and on over his head. He tried to draw his eyes back but was unable to meet the look awaiting him.

"Well," insisted the prosecuting attorney.

The witness pulled himself together and nodded toward the prisoner.

"I think that's him!"

"You think! Don't you know?" the prosecutor demanded, seeing his victory threatened by this wave of cowardice.

"Didn't you tell me you knew it was he?"

Patterson's forehead went shiny under a gloss of sweat. He licked his lips and cleared his throat, presenting a miserable picture, at which even the solemn jury frowned.

"Yes," he managed to answer, with enough decision to create a partial assurance, but the prosecutor made haste to dismiss him in disgust.

Toby had at last awakened. Up to the moment this witness took the stand he could not believe that he would really perjure himself. He, of course, knew of Patterson's claim to have seen the murder, but attributed it to the romancing of a knave who aspired to be prominent in village opinion, never supposing the fabrication would be repeated under oath. Perhaps Patterson himself had not anticipated such an eventuality until the prosecuting attorney arrived and gave him no chance to escape.

Now the legs of Toby's chair came down with a bang. Here was something concrete to disprove, and not the threads of evidence that had so far been purely circumstantial. For he knew Ralph had been at the Dare ball—even though asked on sufferance—and he felt certain that, with the storekeeper's testimony regarding time, he could turn this witness not only to the confusion of the State's case, but for substantial good to himself.

A scuffling, however, in the back of the room caused everyone to turn, and before the clerk could rap for order, an hysterical voice cried:

"Let me loose, I tell yer! He's lied!"

The spontaneous movement of unrest in a mass of quiet human beings was further agitated when a man's voice commanded:

"Shet up, child!"

"I'm not a child no more," continued the struggling person. "Let go an' let me through! Didn't I just heah what that varmint said? Why didn't some of you all tell a-body what was a-goin' on?"

Then restraining hands released her and, as those nearest pushed back to give her way, they heard these words in a wild and tender whisper:

"He ain't yourn, no way! He's mine!"

Every one was on tiptoe and over the twisting, bobbing heads was seen a lithe young figure walking steadily forward. She advanced until she stood directly before the high bench and looked up at the Judge.

"Who is she? Who is she?" whispered Toby's counselor. "Tell me quickly!"

In his eagerness he shook the young man who mechanically pronounced her name, and the next moment the rusty-frockcoated old lawyer had covered the space and was standing at the girl's side.

"Yoh Honoh," he announced gravely, as though she were quite expected, "we will now call foh ouah side Miss Nellie Wallerby."

She was sworn and assisted to the witness chair with Chesterfieldian grace.

"My!" someone said in a low voice, "how purty that child has growed up!"

Nell felt that she was facing a crisis but sat with perfect composure, with no trace of the hoyden of a year before. Her skirts were longer than she wore them at Christmas time, and her face revealed an expression of maturity born of months of anxiety and weary struggle.

"What is yoh name, please?" began the defense.

"Nellie Wallerby."

"Do you know the defendant?"

She did not understand, and he added:

"Do you know this young man?"

"Why, I know Toby!"

"Exactly, exactly," smiled the lawyer. "Now, Miss Wallerby, can you tell us what you know of the murder he is accused of havin' committed?"

"I can tell you who done it—did it," she hastened to correct herself.

"Who? Tell us who, Miss Wallerby!"

She hesitated, and the Judge seeing this leaned over and spoke kindly.

"It is your duty, my child," he said, "if you know of this thing, to tell us."

She opened her lips but no words came. Her hands tightened, making the knuckles show white.

"Tell us, my child," he gently insisted.

She looked a moment into his face with eyes full of appeal, then answered in a low voice:

"My Pappy killed him."

And still no sound broke upon the room. Surprise was following too closely on the heels of surprise for the crowd to be else but spell-bound. The sheriff tiptoed his way to the door and on down to the street.

The testimony continued. It came slowly, often with sympathetic assistance from the Judge, and omitted no detail from the pilgrimage to the cabin; taking up in careful sequence each incident of Toby's unselfish effort, even touching on her enthusiastic struggle with education and culture which he had inspired, and ending with the day, when, tossed by delirium, her father had lived over his crime. This had occurred when Toby was out hunting for game, and while she was watching alone. On his return her father had become quiet and she had locked the secret tightly up until now.

"Once I asked Pappy if it was true," she concluded. "He owned up and said he wanted me to write it out for him, and I've got that, too. He said he had borrowed the knife from Toby, but I didn't think that was goin' to get him in trouble. But Pappy never knew if he

killed the man quite, and that's how we all happened to come back heah to-day. He said he had a hankerin' to see. And I would have told Toby," she added apologetically, "only—oh, I just couldn't tell him!"

It was such a straightforward tale, and so pathetically recited, that for the moment the warring constituents buried the hatchet, and even the Judge was carried on the wave of general sympathy which now robbed the trial of its interest.

This, however, was rudely shaken by a violent exclamation from the State's attorney, as he sprang angrily to his feet.

"No morbid sentiment here, if you please, gentlemen," he thundered. "This is a court of justice, not a play house! What the young lady has said sounds all very fine, but, if Your Honor will permit me to suggest, there is nothing shown to substantiate her remarkable tale. How do you know but that the girl is lying in order —"

For the first time Toby took an active part in the trial. Even before anyone realized that he had left his seat, he was standing close to the prosecutor's side, and had put a restraining hand upon his shoulder.

"Just one word more along that line," and

his voice was low with suppressed passion, "and even the presence of the Court will not save you!" Then stepping past the dumb-founded counselor, he stood quietly before Nell.

As she finished her astonishing tale a flash of inspiration had hinted to him something almost as startling as the queer turn of the case, and now he resolved to make the hazard, which, if futile, would leave him no worse off than he had already been.

"Nell," he said, "before I left the shack you came to me one morning and said that Dink had made a will. Do you remember?" She nodded. "And you told me that you had written it for him, something like the contracts you saw me draw, one time, for Mr. Clark's tobacco, with a place for the signature, and all that. Was that the way of it?" She nodded again. "Then you said that I must be the witness, but you would not allow me to see how the will read, so you folded it over and made me sign just next to the place where your father had signed. Do you remember that, also?"

"An' you wrote 'Toby'—an' then laughed!" She smiled now for the first time.

"Yes," he gently replied.

The smile, in which there was a world of

sadness, faded, and she began to reach into the bosom of her dress.

"I have it heah," she said, "if you want it."

"With your permission," he replied gravely.

She tugged a while longer and then drew out a piece of crumpled paper that she held toward him, but, before taking it, and while their eyes were fixed intently upon each other, he said again:

"I am just beginning to understand what this is, and what it is going to cost you. I do not want you to be in the least deceived—that is, if I am correct about it—and must tell you now that by giving up your little paper you will probably send your father to the penitentiary, or the gallows. Do you understand?"

At the words "penitentiary" and "gallows" a wild expression of fear crossed her face, but it almost instantly surrendered to so eloquent a look of devotion for the man who stood before her that one old juror coughed noisily.

"I reckon I've already given Pappy up, haven't I?" she said slowly, still holding out the paper.

"No," Toby told her in a steady voice. "What you have said thus far may not hold. I advise you to put your paper away."

"Then take it, quick!" she exclaimed, and,

as Toby made no move, she thrust it toward the Judge. "Heah, Jedge," she gasped hysterically, "it's yourn! Take it quick, for God's sake, Jedge, afore I change my mind!"

He opened it carefully, because it was very much crumpled, and held it from him to get a better light. For a full minute he studied it, moving it nearer and then back, until he finally handed it to the State's attorney, at the same time instructing the clerk that it be admitted as evidence.

"Nell," he said, "will you tell me how you got this?"

"After Pappy said he had killed the man, Jedge," she replied, having regained her composure, "he wanted me to write it out as best I could, because he thought he was about to die, and was afeerd—afraid—of gettin' someone else in trouble. But when he was 'most well, instead of burning it up I thought maybe I might hold it over him and have him bounden to quit drinkin'. So I got Toby's name on it by makin' out that it was a will, and was goin' to pretend to Pappy that Toby knew all about it, too—just so as I could scare him into givin' up lickin'."

"Where is your Pappy now?" he asked, bending toward her.

"He's tight, I reckon," she answered sorrowfully. "He's been tight 'most all the time since then; for, of co'se, he knew I wouldn't show the paper,—and I wouldn't have, Jedge, except," she faltered, "except—" And so at last came the tears.

She was excused, and on a motion of the defense—it being allowed without even a protest by the prosecution—the Judge charged the jury which returned in a short time with a verdict of "Not Guilty."

To discharge the prisoner was the work of a moment, but the Court embraced the opportunity to express a word of praise of the girl's sacrifice.

Then it was that the crowd arose to a man and started forward with pleasure and grin-covered faces, when someone near a window called that the sheriff was taking Dink to jail, at which everyone turned and surged through the door; the Judge joining with undignified haste, being somewhat fearful of brewing mischief that he hoped to avert by his presence, for he knew the mountaineers too well to suppose they would permit one of their kind to go to his doom, were there any reasonable chance of rescue.

CHAPTER XIX

Toby sat for a long while gazing about the empty court room. It felt large and awesome in its sudden quiet, and brought home to him the strain through which he had passed. The all day vigil, wherein he had watched himself being drawn into the shadow of the gallows with no way to resist, had bitten deeper than he realized.

Now it was growing dark. Once he became alert as a clamor of voices reached him from the square below, but it carried a merry, not an angry tone, and he was about to sink again into his chair when a slight stir caused him to peer sharply through the dusk toward the door.

Up the aisle approached a figure, haltingly, as though not yet accustomed to the gloom of the room. When finally it reached the clerk's desk, and stooped over it, there came to his ears the sound of fingers fumbling among papers, followed by a quick, smothered cry of relief. Then, crossing swiftly and noiselessly to the window, it looked intently at a paper it had taken up and stuffed it into the bosom of its dress.

Toby had not before noticed that the clerk, in his excitement to reach the street, had left the documents in his charge out in open sight, nor was he disposed at that moment to censure his carelessness.

Now, as he arose, the figure sprang back in an agony of fear at being discovered, but Toby spoke in a low voice.

"It is I, Nell," he said.

Then he crossed to her, and without a word she threw herself passionately forward and buried her face on his shoulder.

"You have made a great sacrifice, little friend," and his voice was a bit unsteady.

"I've given up Pappy," she choked.

He laid a tender hand upon her head and pushed it back. The last of the day was gone; the afterglow was bending low to kiss the night, and its warm flush lingered for a moment on her upturned face, marking its wild beauty.

"I told on him! They'll hang him—hang him!" she sobbed again.

"No, they won't" he smiled down at her, thinking how at least one piece of damaging testimony had been brushed aside. "I will defend him myself, and do everything in my power to free him. I promise it, dear."

Her fingers tightened on his shoulders.

"Tell me that again!"

"I will try to free him," he repeated obediently.

"The rest of it!"

"I promise it," he said.

"Yes, I know," she breathed, "but say that other again!"

"What other?" he was entirely at sea.

"What other? Ah, Toby," and with the rush of feeling she dropped into her more accustomed speech, "that other what I've wanted ter heah all my life, I reckon. Do you reckon I'd a-told on Pappy for anyone else in the whole world—nor my own self, even?"

"But child—" he began, when she interrupted fiercely:

"I hain't no child, an' I won't let you say it! But," she added sweetly "say that last again, Toby—please?"

Amazed, he stared at her, or, rather, at the now indistinct outline of her face. After a moment, when she spoke again, her voice was low and confidential.

"Do you remember the day I pulled that fox puppy away from a hound? You told me that he was mine then, an' belonged to me always, 'cause I'd saved his life. That night I dreamed as how it was you I'd saved; that

it was you that was mine an' belonged to me, an' the next mornin' when I saw you, you looked so different that—oh, I don't know what it was, but I could hardly breathe. I dreamed of it lots of times after that, an' each time I told it to myself 'foh breakfast so's it just had to come true. Of co'se, I knowed it would some day," she gave a little sigh of content, "only I wish it didn't have to be Pappy that I gave to the law, even if it did snatch you away from those dawgs out there." She tossed her head toward the street. "But that's all right now, too, if you're goin' to stand by him."

The working of her mind, her feeling of possessorship, dawned on him with increasing surprise and his brain grappled in frantic haste for a way to answer. He was too gentle to wound, of too sensitive a fibre to subject her to the slightest humiliation, but haste sometimes unwittingly bruises delicate things.

"Nell," he said, "it isn't the same. It cannot be the same as with the little fox!"

She tiptoed until her face was almost level with his own. Her fingers worked over his shoulders and locked behind his neck, and, because no doubt lurked in her heart, her reply was merry with laughter though softened by an infinite faith.

"Don't tease me, Toby. Of co'se, you hain't a real fox; I didn't mean just that."

By various indirections he endeavored to bring the truth before her, and she listened, not understanding, but simply happy at the sound of his voice.

"And do you not know, Nell," he said finally, for it had grown quite dark, "that I must leave Panther in a few days and go back into the world? Because I have much work to do, a name to carve where my people can see it. But I shall think of you always, and should anything happen so I do not come again—"

"Don't! Don't!" she cried, casting away reserve, her body swaying close to him and her arms tightening about his neck. "Toby, Toby, don't say that again! Can't you see what it'll do to me? Can't you see, Toby? Air you goin' to tear my heart all to pieces like the dawg would have tore the little critter?" There was a catch in her throat. "Do you reckon thar's another man in all God's world I'd a-told on Pappy for? Don't turn yoh face away! Look at me! I hain't ashamed to say it! It hain't as it uster be, it's as it is now—an' I hain't a child no more; I'm most as big as you! You're not a-goin' to leave me, Toby? You can't go away, I tell you, you can't! Hain't

you listenin'? If I uster look at the stars an' tell you, hain't it easier to heah me now? Toby don't—don't push me away like that!"

"Nell, listen to reason," he commanded.

"Thar hain't no such thing—now," she cried, clinging tighter.

Her breath was fanning his lips but he could see nothing of her face except the indistinct white of her teeth. A bewildering, scarlet passion suddenly gripped his veins with claws of fire. Never had she stirred him like this, perhaps because she herself had never before been so stirred, and he knew that not a reproachful word would pass her lips were he to go as far as her pulsing body seemed to dare of him. Yet at this critical moment it was not so much a man's honor as the image of two wondrous eyes of brown which dragged him from the vortex and saved her. They burned him with a look of abject horror, just as on that day, when passing the stable door at Glenwood, she had seen Dink holding out the tempting bottle — and afterwards came all the way back to help him. So again he was master of himself, and now said in an even voice to the girl who still clung about his neck:

"This is not the way a great lady would behave!"



The impulse of white that showed through the darkness from her teeth disappeared, and he felt her body stiffen. Slowly her arms dragged like dead weight across his shoulders and fell limply to her sides.

A man ran up the steps and entered the room. Remaining perfectly rigid, they heard him walk to the clerk's table, stumble over it, growl out an oath and strike a match. The tiny flame brought his face into sharp relief and they saw it was the clerk returning for his neglected papers, which he gathered carelessly together and then hurried away leaving the silence heavy and oppressive.

"Sit down, Nell," Toby finally said, "I want to talk to you."

"I can stand up, I reckon," she replied in an unnatural voice.

"I want to tell you," he began very gently, "why the reason for my leaving Panther must be obeyed. None of us can always do the thing we want to do, nor are we always permitted to have that which we most desire. You may not know it now, but some day you will know that in every life are huge, black, scarry places which mark some time of struggle, some day of anguish, and by which the world judges only as we arise in triumph

or fall to defeat. These are what lots of people call crosses, and we are expected to carry them well, like soldiers, with heads erect and eyes to the front. You have one now, a little one, but it will grow lighter all the time until one day you will look and find it gone. I, also, have one, and it is heavier than anything I've ever known. And I am going to tell you what it is so we shall share each other's secret. You see, she doesn't care for me—the girl over there at Glenwood, I mean—and is going to marry another fellow, and—and—well, that is one reason why I must go away somewhere, anywhere. We can't control our caring for people. Do you understand, my little friend?"

They were difficult words to say, but he knew of no other means to reach her. He likened them to the surgeon's knife, which, though painful, would effect a quicker cure; but never once did he reckon on the scar.

She stood a little while longer, then crossed to the window and looked up at the stars. Slowly, very slowly, she sank to her knees and crossed her arms upon the sill.

The town had grown quiet. One by one the yellow lights in the houses disappeared as folks went off to bed. In fitful breaths the

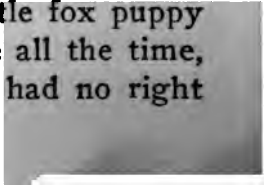
night wind stirred, and a distant owl sent his mournful call across the earth. Still she knelt, bathed in a vague starlight, her large eyes looking out into space; while he sat back in darkness, and in silence.

When at last the big, red moon pushed from below the hills, and grew small and white in its swing across the blue, it awoke in a blossoming wistaria a mocking bird which blinked and plumed and fluted forth his night song. Tenderly, passionately his full-throated notes arose in pleading and love, till it seemed the vast constellations must pause to listen; then soft and low they fell upon her tortured soul like the protecting arms of some fond old nurse. And now from the window came another sound, the sound of convulsive sobbing. Sobs—dying little gasps of a breaking heart!

Toby's hands gripped the bench before him and his own heart felt ready to burst. Finally, choked by her grief, the girl arose and moved blindly toward the door.

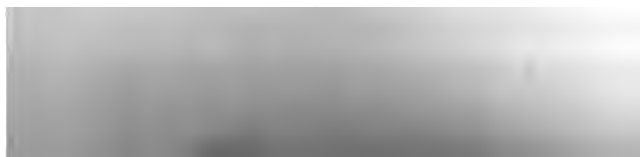
"Nell," he said.

"Please don't say anythin'," she pleaded, and added in a very small voice: "Maybe I'd orter seen how it was, for if that little fox puppy had a-belonged to someone else all the time, then, of co'se, I wouldn't have had no right



to it. But like as not I'd a-saved it anyway, just 'cause it didn't have no friend, or nothin'. I—I hope you won't be wore out none with your—cross, Toby.”

It was the hour of blackest shadows, when the streets were most silent, that she left the Court House and walked slowly away. Through the sleeping town she went, almost as in a sleep herself, and took a road that led toward the bluegrass. One prayer followed her. One pair of eyes, from the place she had knelt, watched her figure grow small against the moonlit, frosted pike and finally disappear, a little lonely speck, into the world that lay toward the north.



CHAPTER XX.

"I have asked you to come," said the Judge next day to Toby, "because I want to talk with you." He puffed his cigar considering just how to begin.

They had taken chairs on the coolest corner of the tavern porch facing the street. Few persons were stirring at that hour of the afternoon, but as word passed that they were so accessibly seated, the group down by the store gradually thinned and its members, with a more or less conscious air, sauntered past the hostelry and back again. Panther was awake to the honor of exchanging greetings with either of these two men.

"I do not know what is before you, or behind you," the Judge began. "A year ago I sentenced you to be—er—pray pardon my bluntness—sold. To day you re-enter your own; you are your own master, reborn, and I believe, rebuilt. For your life is not entirely unknown to me— I mean your life as it has been here. I may as well tell you at once that I have supplied some of the omissions which held your secret from these people, nor did I

do it by prying." He removed his cigar and looked across at the younger man. "Colonel Dare and Mr. Clark called upon me before court opened to ask my advice about placing a sum of money with someone to be used for your defense. I discouraged it, but their attitude led to a recital of yourself and your conduct as they had known it. They quite naturally surmised that you would avoid meeting them, since you had already shunned an overture from Mr. Clark a month ago, and anyhow they believed you guilty, which would have made an interview painful to you all. This, therefore, was their way. I did not have the money used because I, too, believed you to be guilty as—"

"Hell," Toby supplied, with a frank smile.

"Well, yes," the Judge admitted, "though I had not intended saying it. However, it is useless to tell you, my boy, how far the pendulum of my nature has swung the other way. And when those two gentlemen hear of yesterday's proceedings, they will rejoice even more than I. There is one thing more." And now a feeling of delicacy prompted him to take his eyes from the other's face. "At the conclusion of your trial yesterday a letter was handed me. It will be useless, perhaps, to mention the writer when I say that its contents

pleaded for you. In distress for your safety the writer divulged something that she discovered quite by accident—something that, she explained, might offer a clue to your identity—and urged me, if I thought her theory worth while, to use it in bringing proper assistance to your aid.”

Toby’s eyes narrowed and his face went white.

“Would you mind telling me,” he asked very slowly, “just—just what that clue was?”

“The letter bore evidences of having been written in great haste,” the Judge answered, “and, as I have said, showed much concern. I inferred that yesterday morning she slipped off alone and went up among the old trunks, searching for that peculiar comfort sorrowing women sometimes find in rummaging through symbols of things long dead, and conjuring whispers of the past to speak from old brocades and musty laces. But this in particular was not mentioned,” he smiled, “and is just a fancy of my own. However, among other things unearthed in that cedar scented plunder was an album which opened to a photograph, much faded, but showing a group of young Confederate officers. One of these she recognized to be her uncle, without doubt; another

she did not know, but the third was so startlingly like yourself—well,” he drew a deep breath, “she slid it from the page, and on its back was written each soldier’s name. Then there flashed before her mind innumerable small incidents which, apart, had meant nothing, but, together, established an almost positive certainty. Knowing your trial was soon to come up, but not just what day, she sent a darky post-haste to me, urging me to gain your confidence and, if her suspicion were true, to telegraph your home. Furthermore, she pledged Colonel Dare’s support, but shrank from telling him, she explained, while a doubt existed, and until advised by me to do so. This came, as I have said, too late to help you, but you may now know how to thank—them all.”

The young man sat staring beyond the Judge, beyond Panther, beyond the horizon. Evening was falling; the sun was almost down, and the low of cattle, homeward for milking, floated faintly over the valley.

“I have written Colonel Dare,” he at last said very slowly,— “did so only this morning, in fact, to express my gratitude for all his kindness and the kindnesses of his family. I did not know, of course, of his visit to you, nor of this — this other, and so I had little else to say

except that my time of servitude having expired, I would leave at once for — well, I really did not mention a place, because I had none in mind.”

The Judge was a reader of men and this look of pain impelled him to exclaim:

“Toby—I shall still call you that—in God’s name what brought you here? What is behind it? What are you going to do now? Why, my boy, the world is before you! Can’t you see?”

Like a wave the last sentence swept to him a wistful voice in a darkening court room, pleading: “Can’t you see, Toby?” This, or perhaps the psychological place was reached where men are sometimes induced to give a confidence, or it might have been a fast growing love for the man before him, at any rate he answered, but with a forced smile that got no farther than his mouth:

“You ask several things, Judge Duel. Shall I take them in sequence? Dissipation brought me here. Not the kind that sinks men to a vicious level, but just too much drinking. When I entered law at home, and deliberately sacrificed an important case with victory in my grasp because of an unfortunate spree that resulted in a stinging interview with my

father, I turned blindly in any direction, wishing only to hide from the scathing condemnation of my family and friends, and it was only by chance that I happened to stop at this little town. What is behind it? The same that is behind every life indulged the same way—the path of a derelict; hopeless, helpless, purposeless. A derelict that may have been built of good timber and should have breasted every storm, had not the captain wantonly thrown his compass overboard and burned his chart. No record is kept of its crazy course; no log can tell of its fickle surrender to every reckless wind. That it kept afloat at all is a wonder, and had not some unseen hand reached out and grasped the helm, there would have been nothing left for salvage.”

He lapsed into silence, but the Judge knew something more would come, and waited.

“It is rebuilt now, as you say,” Toby continued in an even voice, “after having been towed ashore to be sold for junk, and I do not think the hands which reclaimed it will ever regret their toil; for when it sails again, its course will be set toward the promise of a new day, with every stitch of canvas straining to the trade-wind of Purpose. I only hope,” he gave an embarrassed laugh, conscious for the

first time that he was speaking in metaphor, but impelled to complete the thought, "that its perishable wake will be all to point the unhappy yester-year."

"What will you do now?" the Judge asked softly.

"I really do not know—that is, I do not know yet just where to begin after I turn my back on Panther. But my hand is on the first rung of the ladder, Judge, and I will not rest until, at the very top, I can straighten my shoulders and be unashamed to look my people in the eye. For this end I cannot work too hard nor live too long."

"I believed you were made of that sort of stuff," the older man murmured affectionately. "You have passed the first rung and do not know it. Now, I shall tell you where you will begin. I do not remember the case of which you speak, but I am at last convinced that the writer of yesterday's note made no mistake." He paused long enough to give his words effect. "Therefore, I know your father, and know how much he needs you. Is that enough?"

A darky stepped from the front tavern door, looked up and down the street, and began to beat a tin pan. It was the call to supper but

the Judge stopped him with an impatient gesture. Toby drew a deep breath and relaxed. It was settled.

"Yes, that is enough," he slowly answered.

"I knew you would," the Judge exclaimed.

"One word more," he added with a smile. "A committee is waiting at home for my consent to be their gubernatorial candidate. I am old and would doubtless have declined it, but now I have a fancy to accept, on one condition."

"Yes, sir?"

"I shall want some young blood to help me."

The grizzled face and the smooth stared at each other for a long moment till Toby's fingers tightened around the old man's hand.

"That's handsome of you, Judge!" was all he could say, and swinging his legs over the rail he strode rapidly off.

"When do you start for home?" the Judge called after him.

"To-night," came the answer.

The jurist watched him out of sight, then turned within for his evening meal, mentally declaring that he had not felt so young in twenty years.

It was the same low of kine to which they had listened, but reaching in the far opposite

direction, that fell upon the Mother Superior's ears and halted her steps as she moved slowly along the convent garden walk.

Her path lay edged with marigold and mignonette, cockscomb and larkspur. Her eyes were raised above the hollyhocks and over the vine-grown wall to a crimson sunset that diffused her face with transcendent glory. Through her delicately clasped fingers a rosary twined.

"It is the peace that passeth understanding," she murmured, starting on. "Surely no evil can endure at a time like this."

She had come from vesper service for this communion with herself which for a year had been her daily wont, ever since the cloistral duties had shifted to her shoulders.

She drew near the ivy-tangled gate and did not see the figure of a girl, half within, half without, alertly uncertain of a welcome. During her approach the new-comer had stood statue-like, seeming a part of the grey stone post against which she leaned. But now, before the Mother Superior's eyes, as if by magic, she emerged into instant being with a suddenness that brought the nun to an abrupt halt, balanced a moment on her toes, swaying gently. One hand made haste to trace the

Holy Symbol, and then press lightly against her heart, as her startled eyes yielded to tears of pity when they beheld the ill, anguish-stamped face looking up with such eloquent appeal.

"Dear Mother of God," her lips moved, "Thou who hast suffered much, behold this suffering child!" And aloud: "Good evening! Can I do aught for you?"

"Are you a nun?" the girl asked wonderingly.

"I am Sister Immaculata."

"You're pretty too; prettier'n I reckoned they could be."

"I do not like you to say such things," she answered with modest haste, as her fingers sought and smothered the little cross at her waist, and her cheeks flooded a becoming contradiction to the rebuke. "Vanity is a pious fraud and has no place in here."

But the girl, whose ears were already tormenting her aching head with a chaos of strange sounds, heard only the last few words and understood them to apply against herself.

"Oh! Then I cannot—stay?"

It was a moan of anguish. She moved her hand from its hold on the vines to pass it across her face, and being thus unsupported,

she tottered, stumbled forward and almost fell. With a cry the Mother Superior caught her up in strong, young arms.

"I did not know that you were ill, dear child," she said soothingly. "Can you walk to the convent, with my help?"

"I hain't a child," Nell resentfully began, but there was a new-found peace about this other presence and she suffered herself to be led across the garden, through the big door and up into a little white walled room. Very gently the Mother Superior, declining other assistance, undressed and put her to bed.

"Tain't nothin'," Nell looked up and smiled. "I want to be a nun, an' live here all the time with Toby. Can I?"

"When you are well, then you may be a novice and live here. Now sleep."

But sleep kept away and by degrees reason also left, until she began at last to murmur dreams of Toby. More than once that night did the nun try to close her ears against this delirium of frightfully delightful passions which sounded strange within the pulseless sanctuary walls; and despite its piety did the scapular resting on her untouched breast tremble with timid wonder, while from the hushed depths of her consecrated heart rose the echo

of a sweeter harmony than ever came from chapel choirs.

When the first bit of color streaked the sky, Sister Immaculata quietly arose with a sigh that was not entirely from fatigue, and, stepping down the hallway to another room, awoke one of the older sisters.

"I shall rest now, Sister," she said smiling. "Call me at nine, or before, if there is the slightest change." She was moving away but turned again. "Good old Sister Mathilde says it is a slight attack of brain fever that will pass. And, since it was the child's wish to consecrate her life within our holy walls, do not forget in your prayers to thank Him for her deliverance from a sinful world."

CHAPTER XXI

Colonel Dare, seated in his accustomed place on the wide piazza, nervously thumbed the leaves of a weighty calf-bound volume. For an hour he had been trying to follow a treatise on Burmese Religious Ethics as related to Burmese Commercial Integrity, but his mind and ears were ever alert for the beat of horse's hoofs that would bring news from Panther.

Emily sat nearby, sewing on an odd looking little garment at which the Colonel stole occasional glances, always to send his look wandering off toward the hills with a tender expression about his mouth and a soft light swimming his eyes.

Out under the trees Virginia and Renny were seated on the lawn. She ran her fingers through the grass and pulled up a handful of cool blades with a refreshing rip.

"I wish you wouldn't ask me again," she said, holding her hand up and wriggling her fingers to let the bruised spears fall one by one again to earth. "It's awfully hard, I know, but I'm not at all sure of myself."

"You will get to love me, I know you will,"

Renny's face was genuinely distressed. "And you all but promised in Florida that you would marry me. Surely you haven't changed!"


"I know, Renny, and I've blamed myself so bitterly ever since. Don't you understand how wretchedly ill I was, and how you kept on and on asking me, and being so sweet to me in every possible way, that really I was not at all capable of judging anything? I didn't mean to play unfair with you — I was simply unable to think."

"Do not ever accuse yourself of having played unfairly," he said in a sincere voice. "You have been fair to the very letter."

"Oh, I haven't, Renny," she leaned forward with both hands upon the grass and looked at him. "I haven't, but I did not realize then what a horrible mistake I was making. Don't you see that I'm — that I don't care enough — I mean, that I don't care enough in the way you want me to care?"

"Please do not say that," he pleaded. "Let us wait awhile — why, Vee, I'd die making you happy!"

"I know, I know," she said softly. "I really believe you would, Renny, and that is what hurts me almost as much as I am hurting you. But please never ask me — for I'm — oh, I



can't talk about it, and Bob should be here any minute with news of Toby and how the trial is going on. They must not punish him!"

It was more the tone even than the words that caught Renny's ear and made him look at her quickly.

"Really," he said a trifle stiffly, "if I weren't so sure of offending, and didn't understand you so well, I'd say you like that fellow over much. All day, and for several days, it has been nothing but Toby this and Toby that."

"And do you understand me so well then, Renny?" she pulled another bunch of grass and again watched it sift through her pretty fingers.

"Of course I do. I know you like a book." He straightened up with an air that brooked no contradiction.

"I met a philosopher once," she said quietly, "who made the observation that if he thoroughly understood as much of a woman as her little finger, he could write for a hundred years and fill a thousand volumes without ever repeating a single mystery or beautiful thought. Wasn't that pretty? But he was only a philosopher."

Renny was in ill humor and grumbled sullenly:


"Philosophers are a stupid lot, anyway. They don't know anything but books; none of 'em do. And as for this deceitful, drunken murderer, Toby, he ought to be hanged high as Haman. I'd do it, too, if I were on the jury."

The next handful of grass came up with an impatient rasp, but her eyes were lowered and Renny saw no signal of danger in the sudden pallor that swept her face. So often of late he had expressed sentiments of this sort that she was becoming irritated beyond the limit of common politeness.

"Of course, philosophers don't know," she continued in a sweet voice. "Bob also says they are stupid in some ways. What was it he said the other day about that? Oh, Unks," she called to the Colonel, "what was that brilliant saying of Bob's about men who understand women?"

"Why," the Colonel laughed, "the rascal said to point him out a man who boasted of understanding the eternal feminine and he would show me either a liar or an idiot."

Virginia's fingers now wriggled through the grass with a satisfied, subtle motion, and while she watched them a curious smile played about the corners of her mouth.



"That was unfair —" Renny began angrily.

"No more unfair than of you to stigmatize Toby in the way you did!" she flashed back.

The heated reply that flew to his lips was checked by the girl, who sprang eagerly up, for in the lane coming at a smart gallop was Bob. He waved his hand and shouted something they could not hear, but when he had swung into the circle, and before dismounting, he cried again:

"The trial was yesterday. He's as innocent as any of us, and the hero of the town!"

Old Chloe came waddling out and stood behind the little group now gathered about him. Nor was his recital brief. He had got the story from Doc and retold every bit of it amidst profound silence.

"And we all believed him guilty," he finished, looking over at the Colonel, who had turned away his head, "when in reality he had gone off to nurse a case of smallpox."

"When will he be out heah?" the Colonel asked. "I will make reparation; yes, suh, by Gad, suh, if it is in my power, suh!"

"I don't know," Bob answered. "I couldn't find him, though some said he was still in town. And, by the way, here is the mail; and a letter in his writing, too, if I remember at all."

The Colonel tore it open and read slowly. Finally his hand and the letter dropped into his lap.

"He thanks us for our kindnesses," he said, looking up with a wan smile. "His time of servitude is up and he will leave Panther at once, but he does not say for where. It's a good-bye, that's all."

There was an ineffable sadness in his voice. A sadness had fallen over them all, and even Renny was touched by it.

"Then he must have already gone, Bob," said Emily quietly.

"Yes, I reckon he has."

Suddenly Aunt Chloe exclaimed:

"Well de Lawd fergive me! Dat letter jes' remin' me!" and she fussed her way into the house to return shortly holding out a bulging envelope. "Missy Vee," she cried, "I done fergit I'm livin,' I reckon. Marse Toby left dis heah a-way in de winter when he come back dat time. Joe Bender tol' me it's for you so I laid it away, an' ef 't hadn't been for dat un jes' now, I'd plumb distracted it."

Virginia was a pretty picture of happy embarrassment as she sprang forward and took it, uncertain what next to do. Then suddenly conscious that all eyes were on her, as Bob

told it afterwards, "she got red and stampeded, and the next thing we heard was a door slam up-stairs as if a thousand devils were after her."

Renny turned toward the stables and later on, when Emily saw him ride across the lower pasture and take the jump into the road, she looked at her husband.

"I think we had better tell Daddy, don't you?" she asked.

"You do it, Em. It will sound better from you." He pulled up a chair, swung an affectionate arm about her shoulders and, by way of opening the subject, said:

"You see, Colonel, when we all went to Florida we had begun to think that Toby was a counterfeit, and a poor one at that. Vee's long illness down there wasn't malaria fever, either; as Em will tell you. She told Em what was the trouble, and — well, you fire away, honey."

Stern and rigid the Colonel listened to everything that had transpired between his niece and the vagabond. The old soldier was taken through varied emotions, gradually relaxing all the while, until in the end he was confronted by an appeal so tender, so womanly, that his heart softened.

For a long minute he sat gazing out through the trees, across the fields that were shimmering with heat from the afternoon sun, and toward the Knobs. His face had assumed an expression of such pathos that Emily reached gently over and took his hand. Without turning he laid his other hand on the back of her own, saying in a low voice: "If God had given me a son —" He did not finish the sentence but added, as though his previous words were intended for himself alone: "Bob, in view of what we know, do you think as much of him as you did?"

"Indeed I do," he answered stoutly.

"So do I," the Colonel sighed, "and more, the villain! But what will it mean? What will it lead to?"

They were thinking the same thing.

Toward evening, when Renny rode in on a tired and sweaty horse, Virginia came down, crossed the porch without a word and went directly to him. Together they walked back out of the lane, the bridle rein over his arm, the horse following wearily. When they returned it was evident that at last the battle of hearts had been fought and one had yielded, and while Renny was a good enough loser to keep up his end throughout dinner, his face

belied the somewhat immoderate laughter that frequently punctuated his high tension. So none were surprised when, in a forced, unnatural voice, he was heard to say:

"By the way, Colonel, I am called home rather unexpectedly. Would it be asking too much if one of the men drove me over to catch the midnight train north?"

The meal had been an uncomfortable strain on them all, and now for just a moment the Colonel hesitated, undecided whether to continue pretending innocence or yield to his natural impulse of being frank with all men at all times.

"Yes, Renny," he said kindly. "I shall have you taken over, of course, but I'm sorry that your visit is terminating with such —" Virginia gave Bob an appealing look.

"I'll drive you myself, old fellow," he cut in. "Let's start at nine so I can go home first and see if everything is all right. Em and I are staying here to-night, you know. Colonel, I heard to-day —" and he launched into a discussion of a newly formed society, called the Equity, whereby it was said that farmers could pool their future crops in storage until favorable markets open.

As the girls arose, Renny touched Bob's


arm and they fell behind while the others passed out.

"Of course you know I'm gaffed, Bobby," he said, "but that's all right, only — well, you see, I don't believe I can face the good-byes. Can't we start now? And won't you explain for me to-morrow? I am sure they will understand; maybe like it better that way."

"All right, Renny." Bob took his arm and led him down the hall. "Get your stuff together and we'll go out the back way from the stables. It's tough, old man, and —"

"Never mind that. I'll be with you in half an hour."

Virginia was obsessed by a restless yearning, a gnawing, happy sadness that diffused her body and mind. She sat with the Colonel and Emily for awhile awaiting the others to join them. This was duty. But at their continued absence she arose and went to her room, asking to be called before Renny left. A duty also, and one she would have spared herself were her conscience the kind to permit any but a fair, open attitude toward the chap she had unavoidably hurt. He was not on her mind just now, however, so much as another to whom she hastily turned with quill and delicately crested paper.



All day long the sky had been cloudless. The pen hung idle as she watched the far-off, endless blue merge from its topaz to a glorious velvet sapphire. In a little while the first stars would be twinkling — indestructible beacons of infinity — so brushing aside the writing materials she approached the window to watch for them.

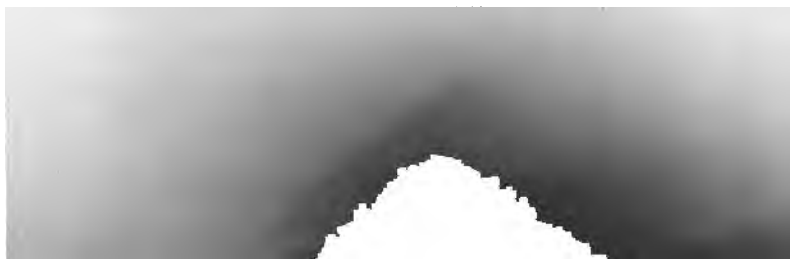
For a long time she stood leaning against the sill, her fingers twined behind her back, her chin tilted upward and her lips apart, gazing fixedly into the heavens. On either side a summer breeze fanned the flimsy curtains in graceful rhythm that, in the half light, took the shape of gauzy wings. Had a spirit from another world, panting from its flight, dropped lightly upon earth and poised for a moment's rest before again taking wing toward its far-off bourne, it might have looked like this.

Shyly, from out the blue, there flashed one silver spark, and she shut her eyes tight, as Nell used to do, to send an appeal flying off in search of but one listener who would understand. When she looked again the last of the lights and shadows had left the trees; their swaying tops were changed to solid black. To these silhouetted batons of the woods the tree-toads swelled their chorus, and from all

around the country other wee night-folk joined in with the zest and the joy of living.

She remembered that Chloe would be coming directly with her lamp, and stepped back into the room to find that it had been already placed upon her table. Her bed had been turned carefully down, a welcome invitation to slumberland, and the snow-white robe daintily laid across it, with two little slippers snuggled confidently underneath, would at any other time have tempted her.

Now she only smiled at how intent must have been her message to Toby, via the stars, that the old servant could have entered and left unnoticed. Then turning the lamp to a tiny flame, she passed on down the stairs and out into the night.



CHAPTER XXII

Toby went straight to the jail. His obligation to Dink was binding and the time was growing short.

As the sheriff glanced up the street and saw him coming, saw how many times he was stopped by men who wanted to shake hands with him, he laid down his pipe and walked to the door. There was a great affection in the gruff man's heart for the vagabond and his face brightened to see Panther's former prejudices melt before a high and almost reverential regard, for none within the young man's radius now escaped the mastery of his charm. He had seen one reason for this that very morning when Toby dropped in to consult his wife about taking charge of Nell after her return from the shack, where he supposed her to have gone. But a close observer would have noticed that his eyes were not a part of the engaging smile beneath them. These had been sad of late and filled with shadows.

He now greeted the sheriff and lifted the proffered key to Dink's cell from his open palm.

"Ain't seen that prosecuting attorney feller, Foster, have you?" Bill asked.

"No. Why?"

"Oh," the sheriff laughed, "he's hotter'n a hornet over the plaguin' the boys is givin' him. He ain't made a conviction this term, but boasted all along that he'd send you up sure. Now the boys is askin' him when you're goin' to be sentenced; or if he thinks you'll be tried at all an' I wouldn't be surprised if he'd shoot somebody yet."

"He is new here, isn't he?"

"Yes, this is his first time, an' they do say he's got a power of legal sense."

"I really feel sorry for him, having had all this bad luck," Toby said.

"Oh, he don't deserve none of your sympathy," the sheriff grinned. "Anyway, he says he'll git squar on Dink, or it'll be his last case."

"Then I wonder what other business he has in view," Toby answered with a laugh and passed in. "By the way," he called back, "where is my friend Patterson?"

The sheriff chuckled again.

"The boys has been askin' for him, too, to find out what kind of specs he wears. I wouldn't be surprised if he ain't takin' a leetle vacation for his health. He sure looked pulled down when I seen him last."

"A swallow won't, no. But you're not the sort who can take a swallow and stop. One drink to you is like touching off a trail of powder that leads straight to the magazine. With you it's either leave it entirely alone or try to drink up the whole supply, which you can't do, Dink, because distilleries run while you're asleep."

"I don't give no man leave to tell me what I can't do," he growled sullenly, and added in a whining voice: "Yer know a drop is all that keeps off my agur."

"Do you realize that Nell is beginning to need you now more than ever before?" Toby persisted. "Don't you know that if people point her out as the daughter of the town drunkard, men will think they can go as far with her as they please? Will you wallow along and let harm come to her?"

The mountaineer's face blazed with fury.

"Thar hain't no harm kin tech her," he cried, "an' yer hain't got no right to make me say no sech promise! Hain't this a free country?"

"So far as you are concerned, just now it is not. You won't have the ague either. I am disappointed, though not entirely surprised, to find this habit stronger than your love for her."

Dink sprang to make a vigorous protest, but Toby waved him down.

"Now listen," he said. "My charge for defending you is total abstinence, payable in advance. I will tell Bill that you've sworn off and not to give you another drop, so by the time next Court opens you will have attained a normal condition and be entirely free from the craving. Do you agree, or will you go to the gallows?"

"This hain't none of your damned business!" the man shrieked, realizing his helplessness and terrified at the thought of being deprived of whiskey. Toby looked at him pityingly.

"I know just how you feel, Dink," he said kindly. "Indeed, I'm asking nothing of you that I don't know all about."

"I'll see the snakes if I quit all at onct!" burst again from his white lips.

"No, you won't. Doc is coming in twice a day and will taper you off if necessary. I've thought it all out for you."

The mountaineer's eyes remained fixed on one of his clumsy boots that he twisted nervously. Toby knew a proper mental attitude meant more than half the struggle and he rummaged his mind for an effective way to

confront the man with his folly. Had he been talking to one of his own kind, there would have been no difficulty.

"Dink, what did you do to that hound up on Turkey Ridge last summer when he wouldn't mind?" he suddenly asked.

Dink raised his eyes and jumped unsuspectingly at the change of subject. He answered briskly:

"I whaled hell outen him."

"And if he hadn't minded then, what would you have done?"

"I'd a-killed him, that's what!"

Again Toby walked to the window and looked through the bars at the darkening sky.

"Remember that time Ralph Patterson tried to break his Hamburg colt and couldn't?" he asked, without turning around.

"Reckon I do."

"You took the youngster afterwards and broke it, didn't you?"

"Yep."

"Wouldn't lay your hand to a horse you couldn't drive, would you?"

"Never have yit."

"Wouldn't own a dog that wouldn't mind, would you?"

"Not fer long, I reckon."

Toby waited a moment and asked meditatively:

"I wonder why Patterson couldn't break that colt?"

"He warn't man enough, that's why." Dink's answer rang with decision, and Toby wheeled on him.

"You've said it," he exclaimed, bending his face near and cutting his words crisp and clear. "He wasn't man enough! You would kill a dog if it didn't mind, wouldn't you! And you show utter contempt for the fellow who owns a horse he cannot drive, don't you! The consequence is that your dogs do mind and you break bad colts, but you're not man enough to make your own self mind, are you! You let a damnable appetite, which is but the animal of your construction, play with you, laugh at you and pull you around. Afraid to put up a fight, you watch it bow to the audience and show you off; show how completely it has you trained. You lie down when it says 'Charge!' You play dead, you roll over and jump through to the crack of its whip. You thrash your dog into submission — yes; but you lick the hand of this beast that makes you everything from a laughing stock to a murderer. The colts feel the power of your wrist —

yes; yet you drivell and whine when told to draw the reins God has placed in your own hands for your own control. Our bodies, Dink, are the dogs of our minds; our appetites the colts. Shame to him who will not make them obey! From the very smart of that shame I'd spring at them, thrash them, conquer them, and if necessary choke the infernal life from them if it took the last red drop in my veins. Call upon your pride, man! Are you content to boss real dogs and horses, and see Dink a slave to worse? Do you admit to the people of Panther that a little yellow, blear-eyed pup can snap at your heels and drive you like sheep? Answer me!"

But the mountaineer did not answer. His shoulders were twitching and his cheeks wet with tears. Toby approached him.

"It is here, Dink," he said gently, laying his hand on the bowed head, "that the master, the man, lives. Here is your control of everything, and not in the muscles of your arm. You say 'I will move my hand, my finger or my foot!' and it moves. Is it not so? You say 'I will walk or run!' and you are instantly obeyed. This is because the proper engines are put in motion to do the work. Every active thought you have is the throttle to one of your mind

engines. It is up to you to pull open those which control the good or the bad. Some are easier to start and run more smoothly than others, because usage has kept them in better working order, and so we are prone to favor those certain ones since we are by nature indolent and ready to turn toward the least resistance. The throttle of your engine 'I-will-drink!' now opens to the merest touch, and its parts respond with the ease and precision of exquisite construction. Its bearings are worn smooth, there is no noise and you like to see it go. Right across from it, over here," he pressed his fingers through the man's long hair," is the engine 'I-will-not-drink!' Inaction has left it rusty and stiff. Indeed I doubt if, in your case, it ever ran. But just pull open the throttle and watch it start. Before long it will be humming away even smoother than the other did because it is made of better stuff. Then you will find it easier to refuse a drink than to take it, and when a man arrives at that state of mind, he is reasonably safe. That is why you are in a good place now, because during your confinement you can change engines — you will have to do it — and after this is once done, I hardly think you will be fool enough to go back. Do you understand what

"Don't reckon I'll see you walk, do you?"

They had left the jail for the sheriff's home and were walking along the hard clay sidewalk, dotted here and there with flat pieces of stone for use in wet weather.

"No, Bill," Toby re-opened the conversation, but in a serious vein this time, "you don't need any temperance lecture. If all men could handle the stuff as well as you do, it wouldn't matter so much. But they can't, and I believe that each day dawns upon a growing monster which is devouring the brain and brawn of our entire country."

The sheriff began to feel uncomfortable.

"We will have to meet it sooner or later; indeed we would meet it now were it not that comparatively few of the non-drinkers seem to realize the dangers — and those who do drink, will not. It is my great desire to see the entire United States as dry as powder, and if I can help bring about this condition here in my own state, I shall be immensely pleased. There is no sentimentality about this. It is a serious, a national necessity."

"You don't mean in old Kentuck, where all the good lick'er's made!" the sheriff asked in surprise.

"Why not? Charity begins at home!"

"Well, it ain't never goin' to begin that a-way heah!"

"You will think differently in a few years," the young man said.

"Why, Toby, I kin show you five or six fellers that'd plumb die without it!"

"No one will die without it. But suppose they do. For each one of them, I will show you a thousand who will be saved for something decent. Is the sacrifice worth while?"

"Of course, thar ain't no use to argur," he said, holding open the gate. "Anybody kin make statements."

"What time shall we start, Bill?" Toby asked as they turned in toward the house.

"Early. Didn't you say you wanted to go by Glenwood?"

"Did I?" he asked.

Stepping on to the porch and into the volume of light that shone hospitably from the window, the sheriff stole a glance at his face.

"I don't reckon it'll do no harm," he chuckled.

"This delay is all my fault, Mrs. Brainer," Toby advanced and shook hands. "I was detained at the jail."

"That's all right, Mister Toby, I can cook the victuals most any time. Take a cheer,

Bill," she turned to her husband, "Jedge Duel's sent fer you twict. Don't yer reckon yer'd better go over thar? 'Twon't take but a minit!"

As the sheriff went out, Toby settled back and for quite a while watched the able housewife prepare the meal; watched her deft fingers drop a pinch of salt into one dish, or stir another, or reach into the cupboard for rough china with which to set the table; and each move was so accurate, so full of confidence and so sunny that he divined one cause, at least, why Bill had learned to handle his liquor moderately.

Finally, from a top shelf, she produced three huckleberry pies and laid them on the end of the table nearest him. The first of these was of the open-face variety — that is, with no top of any description to hide its rich purple filling; the second was decorated with transverse strips of pastry like a lattice, and the third was entirely crusted over. Stepping back, and tilting her head with a benign smile, she asked: "Now, which air yer goin' ter have: bar', barred or kivvered?"

"The bare one, thanks," he answered, without the slightest sign of amusement at her way of terming them. "I've looked through enough

bars to have a prejudice against number two!"

"Don't talk that a-way," she quietly observed. Then smiling again: "Don't yer reckon yer kin git outside the kivvered?"

"With Bill's help," he now burst into a laugh, "yes, the covered one, also, is doomed!"

Taking up that of the lattice-work top she replaced it on the shelf and after another few minutes of silence Toby said to her:

"You are very good to undertake Nell's care for me!"

"Don't yer go thankin' me for that, now, Mister Toby. I always was teched by the child, an' soon as she comes from the shack, I won't let her go 'way no more. She'll be a mighty help to me, too, about the house, an' company for our own leetle gal."

The sheriff's heavy boots sounded on the porch and he entered with some show of impatience.

"Set right down, now, you two, for everythin's hot an' ready!" she announced, giving him a bright smile. Then suddenly asked: "What's the matter?"

"Oh, nothin', I reckon," he said, dropping his hat on a chair. "But they've seed and sawed this term's docket so's a body can't tell it from a crazyquilt. Who d'you reckon

they're goin' to try tomorrow?" This to Toby.

"Can't guess, Bill."

"Dink!" he answered with a frown. "That poor cuss ain't got no more show than a snow-ball in —"

"Mr. Brainer!" The woman's voice bordered onto sharpness. "I've hearn yer say that afore, an' I don't like it!"

"All right, ma'am," he winked at Toby. "Let's git to eatin' an' I won't have no time to cuss."

Indeed for a few minutes there was little time for conversation because the sheriff lived by a motto of his own: "When you set down to eat, eat. Victuals ain't no more made to play with than a rattlesnake — but a whole lot more wholesome, at that."

"Your news puts an end to our drive to-night," Toby said at length.

"Do you want t' heah the trial?"

"Not that, exactly. Didn't I tell you? I'm going to defend Dink."

"The h—"

"Mr. Brainer!" came his wife's warning.

"Oh, now, never mind, Susie," he complained. "I'm gittin' surprises, an' when a feller gits surprises he jest has to let out 'a word."

"Yer ain't no more'n a big boy, ef yer air the sheriff," she laughed affectionately.

Later that night she turned uneasily in bed and asked:

"Ain't that Mister Toby walkin' up-stairs?"

"Hm?"


She repeated it.

"Reckon so," he answered drowsily. "He's bothered 'bout that-ar trial, but I done told him Dink ain't got no more show'n a snow-ball —"

"Mr. Brainer!"

Bill's deep breathing gave evidence that her admonition was useless, and a few minutes later Toby's steps sounded to himself alone.

He was thinking out a way.



CHAPTER XXIII

As daylight streamed through the window, Toby blew out the lamp but continued to pace quietly back and forth, a cold pipe between his teeth and his hands deep in his pockets. Not till he heard the sheriff drawing a bucket of water from the cistern did he pause and throw off his clothes for the morning sponge, because tubs had not reached Panther. He then dressed with unusual care and descended to the dining room, that was the kitchen as well.

"There are two ways, Bill," he said entering.

"Two ways, what?" the sheriff smiled.

"Ways to clear Dink. We are entirely at sea, of course, as to how convincing the prosecution will be, but I think we can clear him or I don't know a mountain jury."

"You can't do it in a life time, Toby," the sheriff declared. "An' you needn't say 'we,' no how. I ain't got no part in it!"

"Quite right," Toby laughed. "You're the State, aren't you? Well, Dink doesn't lack general sympathy, even if he were guilty. U. two S. men aren't popular hereabouts."

"Even if he's guilty!" Bill gave the young man a look of compassion. "Good Lawd, I never want to see no one no guiltier! They do say," he mused "that a lot of fellers from the mountings is goin' to take him away, if he's convicted. Dink has a power of follerin' back up thar. God knows how the word spread, but the town's fillin' a'ready with them quiet cusses who mean business."

Absently he raised his pistol from the table and wiped his sleeve over it.

Morning waned with deadly unconcern and the silence that hung about the gathering throng was almost tangible. From back in the mountains were gathered Dink's friends, or if not his friends, sympathizers, at least, for one of their kind who had brushed aside a Government digit.

So quiet these were, and so unostentatiously did they slip through the tavern bar door—sometimes approaching it from the rear of the Court House, but always in groups of three or more—that those citizens who knew the experience of ducking behind counters when hot lead began to fly, felt a vague uneasiness. It was noticeable that both factions of a sleeping feud were strongly represented, but Panther could not make up its mind whether this signified a

fresh outbreak or a jail delivery. The store-keeper, returning from the tavern at 'fust drinkin' time in the mawnin', reported that the mountaineers were standing with their backs to the bar, and this looked as though the anticipated trouble were centered only about themselves.

It was not till the afternoon session that Dink's case was called. During the entire forenoon Toby had reassured him, but the moonshiner continued to suffer an undercurrent of fear beyond the tact of his attorney to subdue, so he walked with halting feet. The sheriff was by necessity a factor and as the three issued from the jail, starting courtward, the crowd fell apart in awe, or fidelity, to pass them through.

None knew of Toby's commission, but since he occupied the opposite flank to Bill—the law—the mountain men looked upon him with some asperity. Those who did know him expressed surprise but speculation was smothered in the heavy quiet of caustic anticipation. And as they proceeded, Bill saw that some of the stores had put up their shutters and closed their doors. It was a very suggestive sign on Court days.

When the court room settled, packed to

suffocation, the prosecuting attorney raised his eyes toward the prisoner, and then his eyebrows at Toby.

"I supposed," he said, "that you had had about enough of this place."

"No," Toby replied with an easy smile, "its memories are a constant source of amusement to me."

The retort went home and, although Mr. Foster's lips curved, his cheeks flushed an angry red.

Judge Duel's head was bent over some papers and he neither saw their entrance nor knew that it was time to begin. Few, in fact, realized that Dink had been ushered in by the side door and slipped into his place until the sheriff addressed the Court.

"Is this heah to be Dink's trial?" he asked cautiously.

The clerk nodded but his eyes swept the rough audience with something of apprehension.

"If the Court will appoint counsel for the accused," Mr. Foster said in a louder voice, and arising with an air of importance, "we are ready."

Judge Duel looked up mildly from his task and turned toward Dink, but Toby was already standing.

"If it please Your Honor," he replied, "I am here to defend this man."

"Perhaps it were better if the prisoner could be assigned a member of the bar," Mr. Foster suggested with suave consideration.

"The gentleman is a member of the bar," the Judge said quietly, and, turning again to Toby: "It gives me pleasure to see you in my Court."

It would have been difficult to determine where this remark produced the most effect. The State's lawyer was a picture of astonishment; the large contingent of mountaineers looked their apprehension, while the faces of the villagers lighted with pride and pleasure at thus seeing added honors fall upon their hero's shoulders.

"We will proceed," the Judge announced, and then began a trial about which Panther has never ceased to talk.

Preliminaries in selecting the jury were quietly dispatched and it was noticeable that Toby aided the prosecutor in each instance; several times yielding to him without protest when it seemed patent, even to those unversed in law, that he may have lost ground. This caused a slight uneasiness among the mountaineers, but as a matter of fact the young

lawyer had studied the panel, and felt quite well satisfied to leave Dink's fate in the hands of any twelve men who might be chosen from it.

"I am going to show you," the State's attorney finally said to them, arising now, and beginning the case in earnest, "in a very short space of time, that the murder for which my able opponent," he smiled sarcastically, "was so unfortunately tried, has been fastened without a shadow of a doubt upon the prisoner before you. If you don't believe it, look at his face!"

All eyes turned upon the unhappy Dink, whose wretched features gave mute testimony of the statement's truth. Feeling gratified, the prosecutor continued:

"There was a knife found stuck to the hilt in the murdered man's side. We know that this knife belonged to the able counsel for the defense," here again the smile, "who loaned it to the prisoner on the night of the murder. The facts had been sworn to by the prisoner's own daughter, and it is hardly necessary to enumerate further, when this man's very child—" he pointed an accusing finger, "this man's own sweet, innocent child swore here before us all that he had committed the deed; that he had confessed it to her, and that he had signed his name to a written con-

fession which she put in evidence in this room only the day before yesterday. Ah, gentlemen, it is a painful duty for me to perform, but the law must be upheld."

At his conclusion some of the jurors nodded their heads as though it were all quite plain to them.

As in the former trial, the storekeeper was the first witness, and gave his testimony in substance the same, but Mr. Foster, remembering his anger during the previous examination, handled him more warily. No point being brought out which Toby wished to rebut, he was excused.

The prosecutor then made a careful study of some notes upon his table and, looking up at the Judge, said:

"Before going further, Your Honor, I desire to place in evidence the confession signed by Wallerby and introduced here the other day by his daughter," and he held a hand out toward the clerk, who leaned over and began to look through his papers.

The clerk reached the bottom sheet, and went through the pile again. Still another time he began at the top and now made a more careful search, then, with a puzzled face, turned to the Court.

"It ain't here," he said.

"Not there!" thundered Mr. Foster. "Look again!"

The clerk looked again.

"It's no use," he finally admitted. "It ain't here, that's sure."

Somewhat perturbed, Mr. Foster wheeled on the sheriff.

"Call Nellie Wallerby," he commanded.

"I ain't been able to find her, Judge," Bill arose and said. "She ain't nowhere in town."

"Your Honor," cried the prosecuting attorney, now in a towering rage, "how can I uphold our law unaided by those whose duty it is to help me! If the clerk loses my evidence and the sheriff is too lazy to—"

"Now you jest look-ee-heah," Bill began, taking a quick step forward, when the Judge hastily rapped for order.

"That will do, gentlemen," he warned. And to the clerk he said: "You keep the records in your home, do you not? We will take half an hour recess while you go and search for this paper."

During this time Mr. Foster walked back and forth with his hands thrust deep in his pockets, while a low buzz of agitated whispers, intermingled with some tittering at his ex-

pense, pervaded the room. This ceased expectantly when the clerk returned and said that he had looked everywhere, but not a trace of the paper could he find.

"Very well, very well," the prosecutor exploded, "we will proceed without it—it is immaterial," and he ordered the sheriff to call a list of ten witnesses, whom, he explained, were among the best known and most respected citizens in Panther.

Old Doc was the first of these, and he moved down the aisle with slow squeaking shoes that made the room seem more than ever solemn—the kind of suffering squeak one sometimes hears when the collection is being taken up in church.

"I think, Your Honor," Mr. Foster addressed the Court, "that I should be allowed some privileges to compensate my loss of evidence. With the next witnesses, who are thoroughly reputable men, as the jury knows, I hope to establish the same facts for the State that I would have done had these," he made a sweeping gesture toward the sheriff and the clerk, "gentlemen been less unfortunate. So I pray Your Honor's indulgence, and hope you will sustain me in the following examinations." Turning to the witness, who had been

sworn, he said: "Doctor Meel, were you present when the prisoner's daughter testified against her father?"

The lawyer instinct in Toby caused him to spring to his feet, for this might warrant an objection, but he immediately sat down and for just a moment a triumphant look crossed his face. He had that instant, for the first time, definitely settled upon his course of defense.

"I was," answered Doc.

"Will you relate what she said in regard to that part which concerned the murder?"

The witness went over the testimony quietly, sometimes being coached to bring out more clearly certain points, until he had repeated the whole story, from the very beginning, just as Nell had told it.

Mr. Foster, stepping back with a satisfied air, said: "The witness is yours."

Toby waited until the room was absolutely still, and then asked:

"Doctor Meel, you certainly did not believe that child's story?"

"Why, yes, I believed it," he answered.

"Do you mean to tell me that you still believe she spoke the exact truth?"

The old man looked troubled, but was com-

pelled to say that he believed every word of what she told.

"That will do," Toby said, sinking down in his chair, and Dink's face gave a nervous twitch.

The prosecutor continued through the list, and as each man testified, Toby tried to wring an admission that he doubted, in even some little detail, the girl's veracity. Most of these witnesses sympathized with Dink, and they saw the importance of Toby's effort, but none who heard Nell in that previous trial could possibly have disbelieved her. So these leading citizens of Panther left the stand with troubled looks, and sore at heart for being made a part of the conviction to follow.

Before now the mountaineers had become restive. They saw Dink's lawyer making no headway, and watched him with increasing hatred, even though appreciating the odds against which he fought.

The storekeeper had been recalled to give this further piece of evidence—the repetition of Nell's story. He was last on the list, and, as the prosecutor handed him over for cross-examination, Toby first turned to the Court.

"Your Honor is fully aware, I am sure," he said, "that we have permitted the State's at-

torney a great deal of latitude. The testimony of these witnesses whom he called has been admitted without a protest from us, whereas we might have instantly stopped it by putting in an objection which Your Honor would have at once sustained. Indeed, as there appears to be no further evidence to hear, we could ask Your Honor now to peremptorily instruct the jury for a verdict of 'not guilty,' and Your Honor would probably grant this also, since there has not been produced thus far a scintilla of proof against my client. But we did not object to this character of evidence simply because the State's attorney announced an intention of bringing out true facts, which, he averred, would have been a simple matter had not misfortune attended the clerk's papers. Neither shall we ask Your Honor for peremptory instructions to the jury, because we, also, want the true facts, and not a negative victory gained through technicalities. The questions I shall put could have been answered just as well by the foregoing witnesses, but in order to save delay I excused each of them in turn to wait for the last one, who happens to be Mr. Moore; and if I seem to be following an unusual procedure, I beg a like indulgence shown by Your Honor to the other side,

especially because I shall be drawing information along the self-same lines as the prosecutor's inquiry."

Although speaking to the Judge, he kept his face half turned toward the jury so these men would not miss a single word of what was being said. It had the effect of arousing their interest to a high pitch, and, seeing this, he turned at once to the storekeeper.

"Mr. Moore, are you, also, fully convinced that Nellie Wallerby's testimony was truthful in every detail?"

"Yes, sir, I am," he answered.

"You believe she gave an accurate recital of her father's story of the crime, and that her father was on what he then believed to be his deathbed?"

"Yes, sir."

"So there is no doubt in your mind of the tale's truth throughout?"

"No, sir."

Another wave of unrest swept through the room. A nearby mountaineer, whose face was livid with rage, leaned forward as though about to spring, muttering: "This case is all fixed up; he's a-playin' right in ter that Foster feller's hands!" And more than one solemn oath was registered in the hearts of those quiet, homespun-clad men to have his life for this.

Toby, waiting until the room became hushed, continued:

"The revenue officer was in your store several times?"

"Yes, sir."

"And you were seen to have long conversations with him?"

"Yes, sir," he said with some reluctance.

"Of course, Dink was made aware of these conversations?"

"I reckon he was."

"So you have reason, also, to bear out his daughter's testimony in this: that he believed if he woke you up that night, you would turn him over to the law?"

The storekeeper glanced nervously toward the mountaineers, but gave an affirmative answer.

"You are convinced, then," Toby insisted, "that he entered your store under great stress of fear, and grief for his child, who lay in a state of delirium at the shack?"

"Yes, sir."

"And that he entered your store knowing, from the assurance I gave him, that these articles might not only save her life but would be honestly paid for by a friend? That is what the girl testified, and you say you believe it?"

clusively to the testimony brought out by the prosecution. But when he arose to address the jury, he was in a confident mood. His subject was one that he felt deeply, and, moreover, he possessed an absolute assurance of his ability to handle it. Along with this came an intuitive belief that each of the jurors would be in full sympathy with him, so he was at his very best.

He began with a simple statement that Dink was a hounded man; a man persecuted for uncommitted sins. He explained, in the first place, how the mountaineer had not been making whiskey, and repeated their talk of more than a year before, resulting in the dismantlement of Dink's old still which was now buried back in the mountains. He could take any one there and dig it up, and they could see for themselves that it had been in disuse for a long time. He pointed out the fact that the prisoner had voluntarily forsworn unlawful ways for an open, righteous life, to be better qualified as protector and provider for the lonely little girl who had no one but him to look to. His listeners were made to feel the injustice of the Government's prosecution in the very first place—the cruelty of sending spies out and trumping up charges against one

in their midst who had been honestly trying to deal fairly by all men, but whose reward was a revenue officer paid to hound him down for something he had not done. He next pictured to them Dink's just, though useless, indignation at being forced to leave Panther; and how he was driven from his peaceful home, being compelled by pitiless circumstances to take a helpless child, who was even then beginning to wilt under a loathsome disease.

After this he brought himself into the picture and painted the father's anguish when he appeared at Glenwood; dwelling upon his own insistence that Nell would die unless "decent things" were brought from the store, and appealing to the jurors' hearts—themselves fathers of little girls—by asking what they would have done.

His description of the fight, which he made brutally unfair to Dink, as well as unprovoked by him, raised his hearers from their chairs, and his recital of the following weeks in the lonely hut moved them to compassion. The child's nobility he described, and how her frightened heart sobbed through the long nights for this father who was suffering and nearing death, until they could almost see "her brave little hands" struggling with pathetic endurance to save him at any cost.

He excelled in these word pictures because he knew them to be the kind the jury loved, and was gratified by the sight of hot tears which sprang to their eyes and, in more than one case, rolled unheeded down their cheeks. Being too clever to spoil their mood by further argument, he closed, standing with his hands on the rail before them and looking them frankly in the eyes. One last appeal he made, eloquent and beautiful beyond anything their ears had heard — a double appeal, both for the man and for the heroic girl, who would be left worse than an orphan unless mercy were shown; and in this he stirred the very depths of their sympathies.

As he sat down next to Dink and threw one arm across the mountaineer's shoulders, further impressing the jury with his faith in the man, the courtroom seemed to take a deep breath of pleasure and relief. Judge Duel moved in his chair for the first time since Toby had begun to speak, and now turned his eyes on Mr. Foster as though reminding him that it was his turn to argue. But the prosecuting attorney seemed slow about arising.

When he did begin, however, it was to launch into a tirade against the iniquity of Dink, and this did not fall agreeably on those

who listened. His voice was loud, and he made a great manner of noise in hammering out his points, the result being that the jury looked bored, and even resentful when it smarted under his ridicule of what he termed "a morbid sentimentality that should play no part in justice." If he realized that he was making but slight headway for his side, it only goaded him to greater fury, not to better argument.

During this time Toby scanned the face of each man who was to decide his client's fate and, before the prosecution closed, felt enough encouraged to whisper a bright word to Dink. This feeling was further augmented by the Judge's charge, which in a measure supported his own plea of self-defense—at least enough so to recall it to their minds; and, when at last the twelve talesmen filed slowly out, the room became alive with expectation, as mountaineers and villagers leaned forward or back to converse in excited whispers.

Half an hour passed in this way, the tension growing so great that when, without warning, a loud knock sounded on the jury room door some of the men were visibly startled. The sheriff opened it, standing aside as the grave procession of solemn jurors marched to their seats; while those who looked

on, fell into a hush that became almost sickening under the pressure of their nervous pulses.

The Judge hesitated a moment, and then asked:

"Gentlemen, have you agreed upon a verdict?"

The foreman arose. "Yes, suh," he answered. "We think, Jedge, that it's jestifiable killin'."

As a matter of precaution the gavel rapped a sharp warning for quiet, and on the Judge's face appeared the merest suspicion of a smile.

"Do you mean by this," he asked, "that the prisoner is guilty, or not guilty?"

"He ain't guilty, Jedge. We mean 'Not Guilty.' "

The instant these words were spoken Judge Duel again rapped sharply with his gavel, because he had watched the spirit of the mountaineers and realized the futility of checking their enthusiasm were it once to start. At the same time he spoke sternly admonishing order until Court had been adjourned. This held them in check, but very much like zealous hounds, which, sniffing an inviting trail, tug silently against a master's leash.

Dink looked up with a haggard face that spoke volumes of gratitude, and the Judge's

gaze rested upon it for several moments with something of pity in his eyes.

"You have taken a human life," he said at last in a low voice, but which was heard throughout the room. "You have killed a brother man, to whom life was as sweet as it is to you; who loved and was loved by persons as dear to him as your own little girl is dear to you. It is a terrible thing to have on your conscience: the feeling that with your own hands you have pushed a soul into the great eternity before its time, when it may not have been quite ready to go. But you can compensate much for this, and make my duty easier now, by holding strictly to the righteous life you have already pledged yourself to follow for all time. The jury has found sufficient excuse on your side to hold you blameless for this killing; therefore, I discharge you, Dink, and may God forgive you. Court is adjourned."

Then broke loose a crash of noise such as Panther had seldom heard. Cries of delight and laughter fairly shook the building. Men who had come to town as strangers, and who had been at war for years, slapped each other affectionately on the backs, and feuds were suddenly forgotten in a spontaneity of good feeling.

As Dink was being lifted over the benches by some of his loyal kind, Toby called in his ear:

"Don't ever forget that promise!"

"Yer kin shoot me dead if I do!" he yelled with all his might.

Judge Duel passed a hurried note to the sheriff and left by a side way to avoid the yelling crowd which was struggling to gain the square. Only Bill and Toby remained until the last of these had tumbled through the door, then the big fellow simply squeezed the young man's hand.

They emerged and halted a moment on the top step to watch the animated scene below, where some were harnessing with hurried hands to be first to spread the news along the roads, or where others formed laughing and gesticulating groups, but where all were happy.

By a common impulse the throng looked up and an instant hush fell, to be followed by cheer after cheer that echoed far into the Knobs.

One young mountaineer, somewhat drunk perhaps, ran half way up the steps and exultantly waved his hat, yelling the while like a madman. Others followed, until below was a mass of upturned, cheering faces.

Over Toby's face came a faraway smile as he bowed his head to the genuineness of this praise, and, standing thus, a cloud passed from before the low-lying sun which sent its evening rays full upon them, framing them there in the doorway with dazzling brilliance before the town, as a slide picture might be thrown upon a screen. His look traveled over their heads and across the square, and—then he saw her.

As upon one day, when he and the sheriff had stood before another sort of laughing crowd, she was sitting with easy grace a dark bay hunter, but this time with a composure quite in harmony with the radiant look that beautified her face. For a moment, for a full minute, urged by some irresistible power, they stared at each other like two charmed beings.

As though a flash had gone from mind to mind, the same thought came to them both: that sunset in the previous autumn when they had wound along the peaceful, shadowy lane and he was saying: "I have pictured myself attaining places where praise and applause are indifferent, but when evening comes I am always alone."

Then with a quick move, as though it were

a physical effort, he took the sheriff's arm and they passed on toward his house. She watched the crowd fall back to let them through and, when he had quite disappeared, turned and galloped slowly out upon the dusty pike.

"What's the matter?" Bill asked. "The boys wanted to shake with you!"

"I didn't know it," he said apologetically, and added: "I'm a little tired, that's all."

"You go up an' go to bed," the sheriff urged. "You was awake all last night."

"I believe I've been awake for lots of nights," his voice was far away and sad. "After supper will you drive me to the railroad, Bill? I'm going home."

CHAPTER XXIV

It must have been sometime during the previous summer, and probably when the personality of Virginia was first beginning to haunt him, that Toby wrote this entry in a spare page of his journal: "Daydreams are made by the breaths of countless fancies being blown from an unknown space across a tiny hair of thought which we stretch in the window of our souls. Through half-closed eyes we watch them vibrate as they touch; with ears attuned we listen, and behold! a melody is born, a day-dream is passing before the mystic focus of our senses. The breath dies, and the hair snaps, and we arouse to find that leaden skies are those which just now seemed blue; that the rose hue was but a glass cunningly held before our eyes; so we turn from the imagery a little sad, perhaps, to again make taut the sagged threads of our sober tasks."

Tonight, with half-closed eyes, ever since he and the sheriff left the village lights behind, and at a lazy trot turned out upon the pike, he had been conjuring up each little spot that retained a place in his

dream-world. He had been roaming through cool vistas, flower bordered and overhung with blossoming wild grape, while at his side Virginia walked. Together they had followed each well known way; had found the last wood violet; had made a careful detour of a setting quail, which, though almost dead with fright, remained chained by indestructible bonds of mother love to her cherished possessions. (It was here that Virginia's fingers had impulsively laced with his own.) Or they would push into the forest where everything was damp and all the trees wore green moss coats. (It was here the red fox barked, the first she had ever heard). Or they were standing at evening in the woodland pasture, talking like happy children to sleek thoroughbreds, whose gentle, knowing eyes looked on with friendly interest. (It was here the brown thrasher had thrilled them, when, high and alone, he sang good night to the reddening sky.) She had looked into his face then with a new light, and—snap! the hair parted, the sheriff was speaking.

"Want to turn in the front lane, or go 'round?" he asked.

They were at Glenwood.

"I had not intended doing either, Bill," Toby

replied, arousing, "but—well, if you don't mind waiting here a few minutes, I would like to take just one look, and slip right back again. It won't be long."

Scorning the turned wheel he sprang to the ground and vaulted the fence. The turf felt more springy, the grass more luxuriant than it had ever been. Each stride carried him over a more familiar spot and filled his heart with alert pleasure known only to long absent homecomers.

When he had traversed the lane and found himself upon the circle, really at last within a short space of the house whose lights shone warm into the black outside, he stopped and wistfully gazed at it.

Advancing again to the place where he had lain the night Virginia sang, he commanded a view of the porch and saw no one was there. Half hoping she might be about to sing now, half fearful that if she did it would add too much to his torture of leaving, he waited.

A faint light in Virginia's room told him that she was down stairs, perhaps in the library, writing her tender affections to that fellow up North who was soon coming to take her away. A maddening thought, and he resolved to return to the waiting sheriff and

shut out this new-found, unfriendly paradise. Just an instant he lingered to take a few steps nearer, and looked wistfully up at the empty window.

"Bob," came a low voice behind him, a voice that had haunted him for a twelve-month. He turned, and her name flew past his lips before he could check it. He missed her answering cry of joy.

"I beg your pardon," he began, feeling the blood leap for his heart. "I did not intend to be seen."

She stepped back a pace to the support of a friendly tree, leaning against it with one hand pressed to her breast; a counterpart of the pose in which he found her that day in the woods after she miraculously escaped the frenzied Tempest.

"Then it is I who have intruded," she managed to say. "I thought you were Bob."

"Which makes these new clothes a becoming disguise," he tried to laugh, "though it was hard enough to discard the old ones, those that have been companions through—through so much. They should be taken home, I suppose, and laid in a cedar chest, a sort of 'belongings of the departed', you know."

"We shall all regret that your stay has seemed so funereal," she answered faintly.

"It is not my stay, but what I leave here buried, that flavors of the grave."

"Do you want to see Unks? I will call him." Her voice was very much out of control, which annoyed her.

"No," he replied, "thank you. I only came in to say good-bye to the places I used to know. And I was just — just —".

The pity of it all swept over him afresh. There was she; here he stood; close enough to touch fingers, as in the days gone by, but as far apart as people on opposite stars. Then came a reckless determination to tell her everything at any cost. He was no longer in bondage, neither had she yet married; both were free, and perhaps for the last time alone.

"The fact is," he continued, "when you came I think I was saying a prayer to your window, as, indeed, I shall be doing always; but always like tonight, from a distance and in darkness."

"Do not say that," she said gently.

"I know I haven't the right to," he hurried on, "and that you don't want to listen, and how hopeless it is, and everything. But it cannot matter much, and I'm sure will not disturb the happiness which I hope is in store for you whether I love you or not, any more

than it can alter the way the dice have fallen. Besides, I go back to-night into my world, and will, of course, never see you or trouble you again. Just this once we shall stand within speaking distance; while in a few days, I don't know how soon, you will be in your own home with no room in your new life for those who, like myself, have just touched it and gone."

"Please don't," she begged.

"Yes, I will," he said, not realizing what she meant. "The years to come are yours, but these few minutes are mine. Circumstance, fate, accident—call it what you will—that threw me in your way, cannot close my lips now at the very portals of a living death, for that is what it will be without you—who are everything in the world to me. Surely, surely, I can tell you this once!"

He did not give her a chance to reply, but stepped nearer until his eyes could almost make out the contour of her face.

"Virginia," he spoke more gently, "you need never be ashamed of this love you have created. If I must fight it out alone, it will be there none the less, a guardian to fill me with good impulses. All my life I have craved just such a love, just such a girl. A hundred times I have

watched and wondered why other fellows should be so happy over this thing, as much a stranger to me as though it did not exist, but there was always a frightful gnawing at my heart to tell me how passionately I craved it; until one day you came down the orchard path. I shall never forget that day. You were holding out your hand, in whose pink palm lay a bird which had sprung from its nest while not yet old enough to fly. But to me you seemed to say: 'See what I have! It is that love you've hungered for.' There was a pause, and his voice became tremulous with intense feeling. "Yours were the hands that picked it up; yours the touch that put it into being, and so it was yours from that very hour; a thing as tender as it is pure, as priceless as it is enduring. Enduring?" he added wistfully. "Ah, yes! Enduring to help me to live as you would have me live! I wanted you to know this," he said, quickly now. "I just wanted to thank you for it, that's all. And — and I hope you'll be — happy always. Good-bye."

After her last expression of pain she had quickly turned and buried her face in her arms, now crossed against the tree, and he did not know that her cheeks were wet with tears of an overpowering affection which defied the

word "good-bye." Nor did he know that she was dizzy, almost sick with this sudden rush of happiness that seemed to be cruelly choking her. For just an instant longer he waited, then turned and disappeared among the trees, the heavy grass making his steps noiseless.

A minute passed. To Virginia the tree-toads had never sounded quite so loud. At last, able to speak, a sudden, incoherent desire seized her to tell this man how wrong was his belief in her engagement, as though she ever really cared for anyone but him, and she turned impulsively with face and poise speaking the volumes her tongue had just refused. There was only dark space around her. She sprang away from the tree and looked quickly in every direction.

"Toby!" she called in almost a whisper. A cricket answered.

Driven frantic by the fear that he had indeed gone, and crushed by a loneliness without him, and a hundred other things, she ran swiftly across the circle to the entrance of the lane.

"Toby!" she called again, louder this time. "Toby! Toby!" Her eyes were trying to pierce the night and she drew her fingers down her cheeks to her throat, stopping them there as though urging every sense to its utmost.

But no answer came. She was alone, pitifully, wretchedly alone.

In the meanwhile, misinterpreting her silence for a literal rebuke, Toby's anguish gave way to remorse and shame for having disturbed, even for a moment, the surface of her happiness. Stung by it, and fearful lest he might listen to his heart and go back, he broke into a run. The lane was long and by the time the buggy loomed into view, he was out of breath.

Bill had waited the minutes patiently until the night crept into his brain and pulled his eyelids steadily down, so he was in a profound sleep when Toby dashed up and called something in an unfamiliar, breathless voice. Being by environment and profession a man ever conscious of lurking dangers, and drilled to the necessity of instant action, his hand flew to his revolver and, before he was enough awake to reason, he had fired point blank at the approaching figure.

A blinding flash and a terrific roar burst before Toby's eyes, and the pungent smell of burnt powder stifled his nostrils. A moment later he was wondering why his face was being pressed so heavily into the thick grass, and why he could not raise it to breathe. Then—nothing.

It was several minutes before the sheriff got his mare under control and tied to the fence. He then approached the outstretched figure warily, prepared for any sign of movement.

"I'll bet it's one of them Compton boys," he muttered. "They said last week they'd git me. Well, this-un won't, nohow!"

Having peered into nearby places of convenient ambush, and having listened for any suspicious sound, he leaned over his man and struck a match, then staggered back as though a second charge had been fired into his own face.

"Oh, God!" burst from his lips.

Without waiting to look for life, without stopping to stanch the blood, he gathered the limp body in his arms, propped it in the buggy and dashed down the lane to Colonel Dare's house.

CHAPTER XXV

Consciousness coquetted with Toby before it finally returned. For awhile he but vaguely existed, and yet, withal, he was luxuriously comfortable. Now there came an indistinct murmur of women's voices, soft and low, but which soon faded and left him the center of a sweet and absolute quiet. Then, floating delicately in from an infinite distance, tinkled a silvery chime of little bells that pleased his ears not so much as it seemed to bathe his soul in refreshing harmonies; and this in time merged to mellow singing, modulations of negroes' voices, when at evening they follow the twilight shadows and blend from minors to majors, and back to minors. By slow degrees this gave way to the realization that he was in bed and, as sometimes one will cling to a pleasant dream rather than let returning day usurp it, he lay perfectly still. But little by little his mind gathered impressions till he knew his head ached, then memory came and he opened his eyes.

For an instant he was unable to comprehend the strange room, the subdued light and the

dozing old negress who sat sentinel by his bed, but whose unwatchful head, nodding with sleep, took comical little pecks at the empty air.

At length he realized it all and felt first a resentment for the accident, not on his physical account but because it had brought him again within the radius of the lost Virginia. Chloe dozed on.

He tried to think where the ball had struck and how severe the wound might be, but soon gave way to wondering what time it was. After awhile it occurred to him that he might feel for the wound, but at that moment the door opened ever so slightly and Virginia looked in.

The lamp had been deftly shaded from his face so she was unable to see his pillow, but supposing him to be still unconscious she entered and tiptoed toward the bed.

She had thrown on a white robe, a haze of flimsy laces, open at the throat and gathered at her waist by a ribbon of delicate color. Passing the sleeping Chloe she leaned over him with one hand raised to hold back the mass of hair that would have swept his face, and the sleeve, falling away from her arm, reminded him of some soft, white flower. Her lips were parted, and her lashes moist with un-

shed tears, as she slowly kneeled to watch his breathing, when to her utter amazement she found herself looking into his wide open eyes.

With a gasp she started up but he found one of her hands and whispered:

"Please don't — not for a minute, anyway. I've something to ask you."

They were looking at each other like two creatures of the wild which, meeting suddenly and unexpectedly in the same jungle path, are momentarily petrified by an overpowering fascination.

"What?" she finally whispered.

"Is it Virginia, or an angel?"

"It is Virginia," she smiled.

"Then it is both," he said dreamily.

"You must not talk," she whispered again, "because I am quite sure that dear old Doc will blame me, though he said you would awaken all right and get well. I thought you were still sleeping."

"Have I been here long?" he asked.

"Only to-night. The sheriff shot you by accident."

"Yes, I remember."

"And the bullet grazed your head. Oh, it did look so frightful when they brought you

in, and after the doctor had dressed it he said — but I mustn't talk too much now!"

"What did he say?" Anything, he thought, to detain her.

"He said," and her voice trembled, "that just a little bit to one side would have — would have —"

"Sent me elsewhere?" he smiled.

She did not answer.

"It is too bad," he whispered again, "that I was brought here after distressing you so much. I wonder if you can forget it?"

"No," she answered.

Old Chloe breathed heavily on.

"I just couldn't help it," he said after awhile, and added wistfully: "You are everything, everything to me!"

Bending nearer she gave his face a long and searching look.

"Do you really love me so much?" she whispered.

"I wish I had the right to tell you. Don't blame me for what I said, knowing that you were already engaged to someone else!"

Her lids drooped to hide the pleasure that was making her eyes a dangerous interpreter.

"It wasn't fair, I know," he continued, "but don't you see how I was handicapped before?"

How impossible it was for me to say anything while I was — was working here?"

"I understand how your high sense of honor forbade it before," she answered sweetly.

"Oh, any fellow would have acted just the same way. But won't you say that you don't blame me? Let me have that little mite to take away, will you not?"

"If I were engaged, Toby —"

"What!" Both of her hands were captive now.

"Oh, do be quiet or you will start a fever!" she whispered in alarm.

"Tell me what you mean! Aren't you and Renny —" he found it hard to say.

"No," she whispered, trying to keep an even voice, "we are not."

Never had Virginia looked into eyes that pleaded more longingly, while the neat white bandage just above them gave eloquent testimony of how narrowly she had come to losing him. The combination held a magic she had no thought of resisting.

"I only got your letter yesterday," she hurriedly whispered, "the one you wrote last winter. Oh, I have been so unkind to you! That day that I followed the hounds into the hills has haunted me wretchedly. Toby, Toby, if I had only known then!"

The music at his awakening was nothing to the sound of this, which drove the mist from before the very thing he had come to believe hopelessly obscured. And yet he was afraid to ask her; afraid that it might be, after all, a part of his fanciful dreaming, but in spite of him the question began to frame itself upon his lips. She saw it coming and, with a face made radiant by a love that knew no shame, honest and ready to give confession for confession, she leaned to meet it.

"Do you —?" he whispered.

She nodded.

There are times when minutes, aye, and hours, seem but ephemeral instants. After awhile Virginia spoke in a muffled voice:

"My hair is smothering you, dear." But his arm tightened about her neck as though death in that form were welcome always.

"Listen!"

The flute note of a robin came with gentle warning as he shook off the feathery veil of sleep and summoned his fellows to the stern demands of day, while through the heavy window hangings a narrow slit of sky showed the opal tints of morning and blended weirdly with the paling lamplight. She smiled at him.

"See, it is the dawn!" she whispered.

"The dawn of our day, sweetheart!" he said.

She took his cheeks between her hands and again the searching, wistful look flooded her face.

"Yes," she murmured, "our day." Then suddenly remembering the sentinel: "I must hurry before Aunt Chloe wakes up!" And they peered cautiously toward the old negress' place, but the chair was empty.

"Oh," Virginia gasped, "when do you suppose she — oh, Toby, she must have seen us!"

He laughed softly. "Old Chloe is as blind as a bat, on occasions," he said. "No, you mustn't go yet — please! I want to tell you something!" But the angel visit was at an end and, quietly as she had come, she vanished again into the silent hall.

Chloe could dissemble with as much grace as a waltzing elephant. Her re-appearance, timed before Virginia could have possibly reached her room, told as plainly as words that she had been waiting behind some convenient shelter outside the door, and the excitement in her face was a direct confession.

"Lawd a-mussy!" she spoke aloud, "ef dis heah white gemmen don't shorely sleep soun'! An' de doctor say t' go down stairs an' call 'im de ve'y minit he wake up! What you reckon you better do, Chloe? Let 'im sleep all day?"

She was straightening the covers and giving a little pat here and there to the bed when Toby laughed outright, but to her mind the time was not yet proper to notice him, so with face carefully averted she continued:

"An' dey done sent for Marse Toby's pappy, an' —"

"Here, Aunt Chloe," he cried, "what are you saying!"

She raised her arms in feigned astonishment.

"Why, is you 'wake, honey? How does you feel?"

"Never finer! But what is this you say about sending for my father?"

"Jedge Duel done it, honey, las' night when de sheriff mos' killed his mare goin' for de doctor. Jes' when he struck town he begin t' holler an' holler t' wake de old doctor up, so de Jedge stuck his haid outen de winder, too, an' he say: 'What de matter?' he say. 'Matter 'nough,' de sheriff yell, 'I done kill Marse Toby!' Den de Jedge come a-rollin' down de steps, kerplang! an' start for de railroad, lick-erty-split to telegraf yoh pappy. Den he come by heah to see how you is.

"Dey wuz all a-settin' in de liberry down staihs, an' you wuz up heah 'sleep, when he tol'

'em what he done, an' Marse Roge' say: 'Who is his father, Jedge?' Den de Jedge kinder wait a minit like he holdin' his bref, an' say: 'A ve'y fine an' wealthy gemmen, Timothy Austin.' 'What!' yell de Cunnel, like some un done shot off a gun, 'my ole frien's son!' An' after dat dey talk, an' talk, an' jest talk.

"Den Marse Rob say he'll go over in de mawnin' t' meet 'im, but de Cunnel say he gwine t' go hisself, 'cause he got a lot he want t' tell 'im. An' Missy Vee, she jes' stan' dar like a angel an' say: 'Don' fergit t' tell 'im ev'y little thing, Unks!' but de Cunnel smile like he know 'bout what he gwine t' say.

"But didn't I tell all 'bout it in de cup," she exclaimed, "back yonder when you come home dat time? Didn't I tell you dar was blood 'tween you an' de sheriff? You'd better min' ole Chloe after dis! Now I'se gwine t' wash yoh face an' han's, an' call de doctor. Den you mus' go on back t' sleep till de folks comes in."

His brows were contracted and for a long time he remained wrapped in thought. Then, with a smile and a sigh, he asked:

"Aunt Chloe, do you think Missy Vee will come?"

"Who? My Missy?" she straightened with indignation. "What you reckon she want t' come in heah for?" and added, as she bustled

after water and towels: "It's mos' audacious surprisin' t' me de way some white gemmen do talk!"

But while she bathed his face, tenderly as though he were her very own, the mask fell and she crooned:

"You got t' be powerful good t' my blessed chile, for her heart's done been hungry mos' a yeah. It can mighty nigh soak up all de love you got for it, honey, an' even den git a little dusty on top. Keep it green, Marster; for Gawd's sake, keep it young an' fresh!"

CHAPTER XXVI

A week of convalescence; seven days of rainbows and rosebuds! Doc had said it would take a week to make new blood and now the time was almost up, the arteries were full, the wound was closed, the patient ready for discharge.

During these days he had been drinking in the joy of living as he had never thought he could. From the first morning in an easy chair under the trees, whither he had been grandly escorted by his father on one side and Virginia on the other, while Em, the Colonel and Bob walked solicitously by, carrying the medicine, spoon, shawl and hot water bottle, his sky had held no cloud. He laughingly protested against so many attentions, emphatically the last, but it was all good to him.

This afternoon Virginia had been reading aloud but the book wearied. Laying it in her lap she leaned back and watched him from under drooped lashes, for he was wandering off beyond the fields, across the horizon and into the land of silver and blue. It was a way he had. She, too, half dreamed and was stilled

by the imminent, unkind hour which would mark their good-byes, for that night the father and son were going back into their world, now sweet to them both.

In the house Emily was playing, but for her self alone. Her moods were traveling in a land more distant even than the range of Toby's vision, more tender than could be his to know. She was ransacking an old, old treasure house piled full of varying mysteries which she drew out at random for her fingers to put into improvised harmonies. Nor did they notice when this ceased; it had been so low.

"We ought to go over and see Aunt Chloe," Virginia finally said. "She is being kept in by an attack of rheumatism."

"Let's!" he cried, springing up and drawing her also out of her chair. "That is delightfully telepathic, for I was just about suggesting it. I thought she always carried a buckeye to keep off aches," he added, as they started toward her cabin.

"She did," the girl laughed, "but day before yesterday discovered it was lost, and the next morning woke up with such a sore knee that she could hardly get out of bed. Of course Jeff found some more buckeyes — a whole

hatful—but these she scornfully refused, saying they would have no effect unless gathered during a new moon. Where do you suppose your father and Unks are?”

“Keeping discreetly off my property, like all true gentlemen should do.”

She looked somewhat mystified at this, and he continued with pretending seriousness:

“Perhaps you haven’t seen the signs I put up; big signs, on the trees and everywhere: ‘Take notice: This is my garden by right of persuasion! Fathers and Uncles are warned not to trespass during paradise hours!’”

“You silly Billy,” she laughed softly. “Who ever heard of ‘paradise hours’?”

“This is one of them right now,” he answered, closing his fingers about the hand that hung at her side.

“And also might be construed into one of your impudent notices,” she laughed, drawing it quickly away, “were anyone to see us. But really, where do you suppose they are?”

“I couldn’t give you the slightest idea,” he replied, “beyond a suggestion that they’re probably strolling off somewhere alone, talking old times, —” he looked into her face and reflected her own happy smile as he added: “and future times for two certain young peo-

ple in whom at present they are taking a violent interest."

With the sweet confidence of a pal, it was her hand now that sought his own, and so they went on in silence until, nearing Chloe's cabin, they approached the door on tiptoe, laughing under their breaths at the idea of peeping in and taking her unawares.

The old servant was seated moodily before a fire of light wood, not built for warmth except only to heat the copper kettle hanging over it. Herbs and other ingredients lay in a pan on the hearth, and she was evidently waiting for the water to boil in order to concoct a remedy for her besetting ailment.

But she made such a pathetic picture of old age, so serious and alone she seemed in her solitude, that they crossed the threshold in a sobered mood.

"We've come to see you, Aunt Chloe," said Virginia, entering. "How is your knee?"

"Gittin' long right peart, honey," she looked up gratefully. "Draw yoh cheers on bofe side of me, so's I kin git a look at yoh."

"Most as good as new, is it?" Toby asked, seating Virginia.

"I'se saterfied t' have it most as good as old," she chuckled, "'cause ef 'twuz good as new, it


mought outstep de well un, an' dat'd be funny, shoh! But de misery's done left dar mainly, an' struck up in mah han' now; dough I'se gwine' t' knock it 'way from dar wid dese heah roots" — she sent a severe glance at the kettle, "ef dat water'll ever bile for me."

"Poor dear hand," Virginia leaned over and patted it.

"Go 'long wid you," Chloe protested with some show of embarrassment. "Li'l white angels ain't got no call t' honey over big black fists like dat!"

"They have done too much for me," the girl smiled up at her, "not to pet them now, when one is ill and pains you." Adding impulsively: "I don't see why they're black, anyhow; they are more noble than mine!"

"Dat's powerful sweet of you, honey," she crooned, giving the girl's hair a gentle stroke, "but dar's reasons; dar's reasons. I reckon de Lawd studied 'bout it right smart for a long time, an' den says to hisself: 'I 'spect I better make ole Chloe's han's black', he says, 'caze den de briahts of misfortune won't show no scratches on 'em, an' de sun of passion won't freckle 'em none, an' no kind of de world's dirt 'll change dere looks'. Dat's why dey's black, honey, so's to be always de same, an' ready,



an' waitin' to' do for mah lambs when dey come in heah t' make de ole nigger's heart warm. Is you gwine 'way t'night?" she asked, turning to Toby.

"Yes, tonight," he gravely answered, and, looking across at Virginia who nodded her consent to the question his eyes implied, he continued: "We want to tell you, Aunt Chloe, that I'm coming again next June, and then Missy Vee is going back with me for good and all."

There was no surprise in the old servant's manner.

"Dat's so," she said, as though speaking to herself. "Dat's so. Ef I had mah d' ruthers, I'd ruther heah dat den mos' anythin' you could a-tol' me."

For some time her gaze lingered on the burnished kettle, while her thoughts were unrolling a panorama of the year just past at Glenwood—a twelve months that had brought so many things of eventful interest to their lives. It was a silence they felt too sacred to disturb, and waited till at last she raised her head and looked into Virginia's face.

"Honey," she said, in a voice so low and musical that it might have come from the overhead, hand-hewn rafters which age had sea-

soned to the mellowness of a Stradivarius, "ef I'd nussed you at mah breast, you couldn't be moh t' me. Tell me, lamb, when you sets heah 'side de fyah place an' looks' 'crost de hyarth-stone, is you glad in yoh heart t' see him a-settin' dar?"

It was solemnly said, and fell upon their ears like a holy catechismal of some ancient priestess.


"Yes, Aunt Chloe," the girl whispered.

"Marse Toby," she turned to him, "when you sets heah 'side de fyah place an' looks 'crost de hyarth-stone, is dar someone else in yoh heart — has dere been anyone else in yoh min' — you'd be gladder t' see a-settin' dar dan her?"

"No, Aunt Chloe," he murmured.

Another minute she looked into the fire, then whispered:

"G'me yoh han's, chillun, 'caze I'se gwine t' talk somewhar," and lowering her head she spoke with deep humility: "Ole Marster, what owns white an' black alike, I ain't nobody t' be speakin' 'bout mah betters, even dough I'se toted many of 'em in mah ahms, an' nussed 'em when dey's sick, an' wept for 'em when dey's sad. But I'se only gwine to axe you, heah in de peace of dis blessed evenin' an' in de



peace of dere young lives, t' draw up yoh cheer an' set wid 'em all de days t' come, jest as I'se a-doin' now, so's trouble an' sorrow won't never find no room 'bout dere hyarth-stone. Amen."

Virginia had slipped to the floor by the old woman's knee and was looking raptly, almost tearfully, into her serious face, which remained bowed even after the voice had ceased. Through the open door, and softened by the distance, came a song of far-off negroes as they walked slowly in from work, each with a hoe back-tilted on his shoulder. Particularly at this hour of the evening these harmonists of nature cast their spell over the place, seeming especially endowed to wring from the plantation melodies a sweeter, truer melancholy. Then from the lawn they heard the subdued voices of men, talking with easy unconcern, and at this Chloe opened her eyes.


"Run 'long," she said gently, "an' go out dar wid dem happy gemmen, who's been a-plannin' an' a-gigglin' all dis week like two li'l boys! Make haste, now, befoh dey takes de notion t' come in heah an' see how oudacious scandlous you'se been t' git mah feelin's all riled up dis a-way!"

More than ever drawn to her, they would

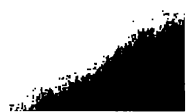
have waited had not the patient eyes closed in meditation. So without a noise they arose and moved quietly toward the door; passing, hand in hand, out through the trees to an orchard path, where a bird one day fell fluttering from its nest while still too young to fly.

THE END.

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